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ABSTRACT

To rectify the inadequacies and inconsistencies in student disciplinary policy between the four campuses of the Miami-Dade Community College system, a comprehensive, current policy of students' rights and responsibilities as well as revised disciplinary procedures and a new Student Code of Conduct were devised in 1976. In developing the revisions, an evaluation of existing college documents and public laws pertaining to student discipline was conducted; college needs in this area were assessed; and recommendations of an outside consultant and a literature review were considered. New documents were drafted, and copies were submitted to students, faculty, and administrators for review and comment. New policy and procedures were then evaluated by the college attorney, and were subsequently approved by the college president, executive vice president, and District Board of Trustees. The comprehensive policy of rights and responsibilities included provisions for protection in academic pursuits, privacy of records, conditions for responsible on-campus behavior, appeal and grievance mechanisms, and student discipline. Disciplinary procedures provided guidelines for dealing with alleged Code of Conduct violations, and the Code established regulations for student behavior. The official statements of policies and procedures which were developed are appended. (Author/TR)

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THE DEVELOPMENT OF STUDENT DISCIPLINARY POLICIES AND PROCEDURES AT A LARGE, MULTI-CAMPUS COMMUNITY COLLEGE

by

Sara Lee Mackin, M.Ed.

Miami-Dade Community College

A PRACTICUM PRESENTED TO NOVA UNIVERSITY
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ABSTRACT

Title: The Development of Student Disciplinary Policies and Procedures At a Large, Multi-Campus Community College

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In the seventeen years of its operation Miami-Dade Community College has grown from a single center campus enrolling 1,400 students to a multi-campus college with an enrollment of nearly 60,000 students. In recent times the student deans have expressed concern about the difficulties being encountered in administering student discipline adequately. Their main concerns were that the implementation of disciplinary policy was not consistent from campus to campus and that the existing policies and procedures were not comprehensive. To rectify the present inadequacies a comprehensive up-to-date policy of students' rights and responsibilities was developed as well as revised disciplinary procedures and a new Student Code of Conduct.

The procedures followed were evaluative and developmental. First an evaluation of existing college documents and public laws pertaining to student discipline was conducted. Then the needs of the college were assessed regarding student discipline. Recommendations of a consultant and a review of the literature were also considered before the first drafts of these documents were completed. Then students, faculty, and administrators on each of the campuses reviewed the documents. After further revisions the new policy and procedures were evaluated by the college attorney. As a final step the policy of students' rights and responsibilities, the disciplinary procedures, and the Student Code of Conduct were presented to the president, executive vice president, and District Board of Trustees for approval.

Official college approval was received for the three documents. The comprehensive policy of students' rights and responsibilities included provisions for protection in academic pursuits, privacy of records, conditions for responsible behavior on campus, appeal and grievance mechanisms, and student discipline. The student disciplinary procedures provided guidelines for dealing with alleged student violations of the Student Code of Conduct. The Code of Conduct established the college's regulations for student behavior.

It was recommended that the policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct be made readily available to students, faculty, and administrators on the four campuses. Seeking advice of legal counsel concerning the appropriateness of new policies and procedures was also suggested for future policy development. A final recommendation was to establish the procedures followed as guidelines for the development of additional policies.

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Chapter 1

INTRODUCTION

Miami-Dade Community College was instituted in September, 1960, as a public junior college intended to serve the populous metropolitan Dade County community. The enrollment for its first year of operation totalled fourteen hundred students. During the seventeen years that Miami-Dade Community College has been in operation enrollment has increased dramatically. By 1965 there were approximately 17,000 students. This figure more than doubled by the fall of 1972, with an enrollment of 36,524 students. Effective on July 1, 1973, the name of the college was officially changed from Miami-Dade Junior College to Miami-Dade Community College, reflecting more clearly the comprehensive goals of the college. Additional increases in student enrollment were fostered by the expanded offerings of the college, and by the fall of 1976 there were nearly 60,000 students registered at Miami-Dade.

The college facilities consisted of portable buildings on temporary sites during the first year of operation. To provide diverse program offerings for the increasing number of students four major campus centers (North Campus, South Campus, New World Center Campus, Medical Center Campus) have been established. In addition there are several off campus centers currently in operation. The growth of Miami-Dade Community College from a single campus with 1,400 students

to a multi-campus college registering approximately 60,000 students has prompted the reorganization of the administrative operation of the college. This has become necessary in order to provide clear direction for the entire college as well as adequate autonomy for each campus.

Miami-Dade Community College's administrative structure is described in its official policies and procedures. These documents are developed on a continuous basis in accordance with the needs of the college community. As the college grew additional policies and procedures were developed and revisions in the established administrative structure were made.

The administration of the policies and procedures pertaining to student discipline falls under the jurisdiction of the student services area on each of the campuses of Miami-Dade. The current disciplinary policies and procedures have been written at various times since 1968. The development of these policies and procedures over several years has resulted in less unification of the disciplinary framework than is desired. In reviewing the present documents it was also apparent that some of the immediate concerns in the area of student discipline were not included.

In recent times the student deans on each of the campuses have encountered difficulty in administering student discipline adequately. Two major concerns pertaining to the disciplinary framework that warranted immediate attention were that the implementation of disciplinary policy was not consistent from campus to campus and that the policies and procedures in this area were not as comprehensive as they needed to be. In some instances the lack of consistency in

implementing student disciplinary policy and the lack of completeness of the current structure have resulted in student grievances and legal suits brought against the college.

This investigation has sought to rectify the present inadequacies in the college's policies and procedures pertaining to student discipline. First, development of a comprehensive policy of students' rights and responsibilities was completed. Then the procedures to implement the disciplinary policy were developed as well as a Student Code of Conduct. These instruments should provide a well-organized and complete structure for student discipline at Miami-Dade Community College. The unification and amplification of student disciplinary policies into a single, comprehensive policy of students' rights and responsibilities and the accompanying procedures should considerably limit the students' grievances and should reduce the inequities in the system presently being encountered by the student deans.

The procedures followed to complete this study were both evaluative and developmental. An evaluation of current college disciplinary policies and procedures, college documents, and current laws pertaining to student discipline was carried out. Then the current needs of the college in this regard were determined. After the needs of the college were assessed and the present framework evaluated, a comprehensive policy of students' rights and responsibilities was developed. The development of disciplinary procedures and a Student Code of Conduct was also completed. These documents were then evaluated by student, faculty, and administrative groups on each of the campuses. The recommendations from each of the campuses

were incorporated into the final documents as appropriate. The last step was to present the proposed policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct to Miami-Dade Community College's president, executive vice president, and District Board of Trustees for approval.

Chapter 2

BACKGROUND AND SIGNIFICANCE

Current Needs in the Area of Student Discipline

Miami-Dade Community College is a multi-campus college with an enrollment of nearly 60,000 students. The Division of Student Services on each of the campuses is responsible for the administration of the policies and procedures pertaining to student discipline. Miami-Dade has grown tremendously in both size and scope during its seventeen year history. In recent months it became evident that the existing policies and procedures in the student affairs area were not adequately meeting the community college's needs.

Due to the lack of comprehensive disciplinary policies, the student deans on the four major campuses of Miami-Dade were having difficulty administering student discipline uniformly. The official policies and procedures which served as guideposts for student discipline had been developed intermittently. In many cases they did not represent clear cut guidelines nor did they contribute to organizational continuity. Some of the existing policies had been developed many years ago and were no longer adequate. One example of this was the Students' Bill of Rights which was approved in 1970 as official college policy and had not been updated since that time.

The existing policies and procedures dealing with student discipline were not organized systematically. This contributed to the

difficulty in administering student discipline equitably or consistently from case to case and from campus to campus. Because of the lack of a comprehensive, up-to-date policy system for student discipline, legal suits were, on occasion, brought against the college. In addition, during the last few years student grievances had been increasing and many of the complaints seemed to result from inconsistencies in existing policies and the less than adequate disciplinary framework.

To rectify the inadequacies in the current policy framework for student affairs several tasks needed to be completed. First, it was necessary to review all current college policies, documents, and procedures dealing with student discipline. This would allow for the inclusion of pertinent existing policy and for the deletion of obsolete statements in the new policy. Additional statements of policy to meet present needs of students, faculty, and administrators would also be added to the document being developed. This would alleviate some of the students' grievances resulting from the lack of completeness of the current structure. Vital to maintaining consistency in the administration of policy in the student affairs area was the organization of the students' rights and responsibilities, including both existing policy and additions as deemed appropriate, into a single, comprehensive, up-to-date policy of students' rights and responsibilities.

In support of the new policy of students' rights and responsibilities, procedures needed to be up-dated for student discipline. These procedures would include revisions in existing disciplinary procedures and additions, as needed, to complement the new policy. A

Student Code of Conduct would also be developed to supplement these procedures. This code would include the regulations for student behavior considered necessary to maintain the well being of the college community.

The documents developed would be reviewed by all segments of the college community and their suggestions would be considered in developing the final drafts of the policy and procedures. These documents would then be presented to the District Board of Trustees, the president, and the executive vice president of Miami-Dade Community College for final approval. Upon approval by the Board of Trustees, the Students' Rights and Responsibilities document would become the official policy for student affairs at Miami-Dade Community College. The disciplinary procedures and Student Code of Conduct would need the approval of the president and executive vice president of the college to become official college procedures.

Establishing Official Policies and Procedures at Miami-Dade

In order for a document to become official college policy it must be approved by the Miami-Dade Community College District Board of Trustees. The Board of Trustees at Miami-Dade is composed of five members who work directly with the president of the college in all matters pertaining to the governance and operation of the college. Appointments to the Board are made by the Governor. These appointments must be approved by three members of the Cabinet and then confirmed by the Senate. College policies are developed by various segments of the college community and must meet State Board of Education regulations before Board approval can be granted.

Official college policies are contained in the Miami-Dade

Community College Policy Manual. The development of college policy occurs on a continuous basis and is influenced by administrative groups, faculty, students, community needs, interest groups, and the legal framework under which the college is required to operate. The inclusion of new policies in the college's Policy Manual often necessitates the deletion of outdated policies and these actions generally occur concurrently. The development of a comprehensive policy of students' rights and responsibilities also included a request for the removal of existing policies which had been incorporated in the new document and those considered obsolete.

Guidelines for the implementation of Miami-Dade's official policies are contained in the college's Procedures Manual. The development of a revised, comprehensive policy of students' rights and responsibilities prompted the revision of student disciplinary procedures and the development of a Student Code of Conduct. These procedures were presented to the president of the college and the executive vice president for their approval. Seeking the approval of Miami-Dade's Board of Trustees, the president of the college, and the executive vice president of the college for the new policy and procedures incorporated requests for official sanction by the college for the students' rights and responsibilities policy and the establishment of guidelines for implementing the new policy which were contained in the revised disciplinary procedures and the Student Code of Conduct.

The comprehensive policy of students' rights and responsibilities and the accompanying procedures should facilitate the administration of student discipline at Miami-Dade Community College once they have been established as official college policy and procedures.

Review of the Literature

An up-to-date, comprehensive policy of students' rights and responsibilities, revised student disciplinary procedures, and a new Student Code of Conduct are needed to increase consistency in the administration of student discipline at Miami-Dade and to decrease the students' grievances and legal suits brought against the college in the student affairs area. In the development of these documents consideration was given to the suggested guidelines offered by several organizations for the establishment of students' rights and responsibilities.

The American Civil Liberties Union recommended that the regulations pertaining to freedoms and responsibility of college students should be both reasonable and realistic. Caution should be taken to avoid overelaborate rules yet there should be specific definitions included for the sake of clarity (Gorovitz, 1967). The National Council for the Social Studies in its position statement on student rights and responsibilities included the following areas for consideration (NCSS Board of Directors, 1975): freedom of expression in terms of both self expression and cultural expression; assembly and association permitted on a non-discriminatory basis; freedom of religion--to practice or not; no requirement to take oaths or actively participate in patriotic ceremonies, but there must not be interference with others' participation; general hair and dress requirements should not be restricted except in situations where physical, health, or safety are endangered; search and seizure should require judicial warrant except when there is probable cause to believe that a specific item in a specific place substantially and immediately endangers

physical health or safety, property, or the activities of others; students should have the right to vote and hold office according to regulations applied equally to all; school or school-related activities on an equal basis; students are entitled to due process and there should be established procedures for hearings and appeals, including the right to present evidence and witnesses. The Council's recommendations also emphasized the importance of balancing rights with responsibilities. The students' responsibilities should include regular attendance, non-interference with others, a willingness to accept the consequences of their behavior, respect for the rights of others, contribution to the climate for learning, and knowledge of and adherence to the established rules and regulations (NCSS Board of Directors, 1975).

The rights and freedoms suggested in Student Development Programs in the Community Junior College included freedom in the classroom, confidentiality of records, freedom of association, freedom to exercise the rights of citizenship, and guarantee of procedural due process in disciplinary proceedings. The student responsibilities thought important were compliance with civil authority, respect for the rights of others, and knowledge of college regulations established through joint efforts of students, faculty, and administration (O'Banion, 1972). Students discussed student responsibilities in preparation for the National Education Association resolution of student rights and responsibilities. The basic student rights included in the resolution were free inquiry and expression, due process, freedom of association, freedom of peaceful assembly and petition, the right to participate in the governance of the college, freedom from discrimi-

nation, and equal educational opportunity ("Students Discuss Student Responsibilities," 1975). The resolution suggested that for each of the rights proposed there was a comparable responsibility, further emphasizing the importance of relating these two aspects of citizenship.

There were many common elements contained in the proposals for student rights and responsibilities. All of these recommendations were reviewed for possible inclusion in the policy of students' rights and responsibilities being developed.

The appropriateness of developing policy and procedures for the purpose of decreasing ambiguity in the administration of student discipline and decreasing litigation brought against the college is timely. In past years the courts viewed educational institutions as instruments of government and immune from legal suits. This position is no longer held as is apparent by recent state laws and court decisions which have placed greater pressure upon educational institutions to protect themselves from all types of liability (Richardson, 1972). Brubacher reported that the principles of the First, Fifth, and Fourteenth Amendments are being applied to the proceedings of higher educational institutions with increasing frequency (Brubacher, 1971). The states' growing impact on all aspects of the community college was reported in Governance for the Two Year College. There it said that (Richardson, 1972, p. 28) "Nearly every state two-year college system has been affected significantly by rulings of the state supreme court or by local courts on issues dealing with internal and external matters."

The public sector has shown considerable opposition to open

privileges for students (Hansen, 1974). It is felt that student development programs should include the behavioral standards considered essential to the educational mission and community life (O'Banion, 1972). It has been established by the courts that education is a right rather than a privilege. This supports the importance of (Hansen, 1974, p. 42) "imposing a higher degree of responsibility and involvement on the student that is in some measure commensurate with those rights.

Contractual relationships between students and colleges have been dealt with recently, particularly since the legal age for entering into contracts has been lowered to eighteen. The vice president for student affairs at Seton Hall University said the idea that the student and university are "parties to a contract" stems from the fact that the institution in advertising and seeking students, in effect, makes an offer to the student. The student, by registering, accepts. Colleges throughout the country are taking closer looks at their policy statements because these policies are the means by which the terms of the contract are conveyed. It would not be sound institutional practice to abdicate responsibility for setting standards for students even though the courts are examining policy structures more closely (Hammond, 1977).

The provision of due process for students has been dealt with recently at the federal level. As a result of the Goss v. Lopez case the Supreme Court ruled in a five to four vote that a student may not be suspended for even short periods of time without being told what he is accused of and the basis for the accusation. In addition, the student being charged with the infraction must be afforded the oppor-

tunity to present his side ("The Supreme Court's New Rules for Due Process," 1975). The decision did include an exception to these guidelines if the student poses an immediate threat but gave no direction for making this determination. The dangers of operating a large, comprehensive community college without procedural safeguards is clearly illustrated by the facts of this case ("Let's Set the Record Straight on Student Rights," 1975).

The importance of including all segments of the college community in the development of policies and procedures has been stressed for many years. Demands for changes in educational policy and for increased participation by students and faculty in the establishment of official policy prompted loud protests that made the 1960's a turbulent decade for higher education (Ladd, 1970). Considerable emphasis has been placed on broader participation by all segments of the college community at Miami-Dade. As a result, in the last few years the demands for increased participation have subsided. Many studies show that combined efforts produce greater results than the contributions of any individual and often jointly devised policies are implemented more completely because of a stronger commitment to them (Henderson, 1960). These theories have proven to be true at Miami-Dade.

The recommendations made by various professional groups regarding students' rights and responsibilities and the results of research in the student affairs area have been incorporated into the students' rights and responsibilities policy, disciplinary procedures, and Student Code of Conduct developed for this practicum. The new policy and procedures include the recommendations of students, faculty,

and administrators from each of the Miami-Dade campuses. The use of extensive and varied resources in the development of these documents should result in the acceptance of the policy of students' rights and responsibilities, the disciplinary procedures and the Student Code of Conduct throughout the college.

Chapter 3

PROCEDURES

Design of the Project

The problems encountered by the student deans in the administration of student discipline prompted this project which included the development of a comprehensive policy of students' rights and responsibilities, a Student Code of Conduct, and student disciplinary procedures. Before the documents were developed it was necessary to review current college documents and public laws pertaining to student discipline. Then it was important to assess the needs of the college regarding student discipline. The student deans on each of the Miami-Dade campuses assisted in the establishment of areas to be included in the new policy and procedures. In addition, recommendations of a consultant and of professional organizations were considered before the first drafts of the documents were completed. Then student, faculty, and administrative groups on each of the campuses reviewed the documents. The policy and procedures were revised to include these suggestions. The college attorney evaluated the revised documents for suitability according to the legal framework. As a last step the final drafts of the policy of students' rights and responsibilities, the disciplinary procedures, and the Student Code of Conduct were presented to the Miami-Dade Community College president, executive vice president, and District Board of Trustees

for approval.

Review of Existing Documents

The new policy of students' rights and responsibilities would include some existing college policies and additional guidelines necessary to meet present needs of the college community. The current policies related to students' rights and responsibilities dealt with admissions and registration, student activities, students' rights, standards of student conduct, discriminatory practices, dismissal of students deemed psychologically unfit, and financial aid.

The admissions and registration policy (Appendix A) included a brief description of the requirements for admission to and retention in the community college. It also listed the documentation and recommendations needed to complete the admissions process. The contents of this policy would be deleted from the Policy Manual and incorporated in the new policy of students' rights and responsibilities. A brief description of the purpose of the student activities program can be found in the college student activities policy (Appendix B). This policy would also be deleted and its contents added to the new policy of students' rights and responsibilities.

The current policy entitled Students' Bill of Rights (Appendix C) became official college policy in 1974. It included the essential provisions for student freedoms and participation in the college community. The major chapters in the document covered freedom of access to higher education, classroom behavior, student records, standards of student affairs, off-campus freedom of students, and discipline. The new policy of students' rights and responsibilities incorporated

the substantive issues of this policy. In that the contents of the existing policy of students' rights were included in the new policy of students' rights and responsibilities, it was recommended that the existing policy be removed from the Policy Manual.

Standards of student conduct were contained in a Miami-Dade policy which was approved by the District Board of Trustees in 1969 (Appendix D). Parts of this policy that describe the overall obligations of students regarding conduct are incorporated in the new policy of students' rights and responsibilities. The specific standards of conduct are somewhat limited in the existing policy due in part to the fact that the policy was developed in 1969. These issues will make up a part of the new Student Code of Conduct which is proposed as a Miami-Dade procedure rather than a policy statement.

An extensive institutional grievance policy for students alleging discriminatory practices had been developed in 1976 (Appendix E). It would remain intact but mention of it would be included in the students' rights and responsibilities document. This would add to the comprehensiveness of the new document, allowing all segments of the college community to see the relationship of policies and procedures in the student affairs area.

The existing policies describing the dismissal of students deemed psychologically unfit (Appendix F) and the college's financial aid programs (Appendix G) are also to be deleted and the content incorporated in the "freedom of access to higher education" section of the new policy.

The new students' rights and responsibilities policy included the overall guiding policy statements for the college in regard to stu-

dent affairs. It was therefore important to key into the existing procedures as they related to the central items in the policy document. Some of these procedures were revised in the past few years and would remain intact. Others were being written concurrently with the new policy document. The student disciplinary procedures and the Student Code of Conduct were included in this project and would take the place of the existing procedures for disciplinary administration (Appendix H). Several other recently updated or newly developed procedures were referred to in the students' rights and responsibilities policy. These include the procedures for the distribution of literature, students deemed psychologically unfit to attend Miami-Dade, the destruction of records in the Deans of Student Services offices, special admission decisions, and recognition of religiously-oriented organizations (Appendices I, J, K, L. and M).

Student appeal of grades, handling of petitions, release of student information, and the formation and recognition of student organizations are described in existing college procedures (Appendices N, O, P, and Q). The policy statements related to these procedures are also incorporated in the students' rights and responsibilities document.

Public Laws Pertaining to Student Discipline

Miami-Dade Community College is a member of the Florida system of public community colleges which is under the jurisdiction of the Florida State Board of Education. The State Board of Education is the major policy-making and coordinating body of public education in Florida. It has the general powers to determine, adopt, or prescribe

policies, rules, regulations, or standards as are required by law or as may be needed for the improvement of the state system of public education. One of the duties of the state board affecting the development of policies and procedures at Miami-Dade Community College is to approve plans for cooperating with other public agencies in the development of regulations and in the enforcement of laws for which the state board and such agencies are jointly responsible (West Publishing Co., 1977).

A State Board of Education rule dealing with community college students formally charged with drug violations states that if any student is found guilty of a drug violation in a court of law, he/she shall be expelled from the institution where he is enrolled and refused admission to all other state-supported institutions for a period of one year (Rule 6A-14.56 Control and Discipline of Students, Community Colleges, Supp. No. 71). This guideline is included in the Student Code of Conduct.

The Florida Statutes compose a substantial part of the legal framework under which the college must operate. In Chapter 239 two sections have relevance in the development of disciplinary policies and procedures at Miami-Dade. Section 239.581 states that (West Publishing Co., 1977, p. 280):

> Any person who shall accept the privilege extended by the laws of this state of attendance or employment at any state college, state community college, or state university shall by so attending or working at such institutions, be deemed to have given his consent to the policies of that institution, the Board of Regents of the Division of Universities of the Department of Education, and the laws of this state. Such policies shall include prohibition against disruptive activities at state institutions of higher learning.

The penalties for participating in disruptive activities are also described in the statute.

The guidelines dealing with the expulsion of students adjudicated guilty of unlawful possession or sale of controlled substances are contained in section 239.582 of the Florida Statutes. This section sets forth the guidelines for administrative hearings which may result in suspension of any university or junior college student who is formally charged with unlawful possession of any narcotic drug, central nervous system stimulant, hallucinogenic drug, or barbiturate. It also describes the conditions for expulsion if the student is found guilty by the court and the conditions for a waiver of discipline (West Publishing Co., 1977).

Chapter 877 of the statutes is entitled Miscellaneous Crimes and includes a section dealing with educational institutions. The provisions of section 877.13 are (West Publishing Co., 1977, p. 388):

> It is unlawful for any person: (a) Knowingly to disrupt or interfere with the lawful administration of functions of any educational institution in this state. (b) Knowingly to advise, counsel or instruct any school pupil or school employee to disrupt any school function or classroom. (c) Knowingly to interfere with the attendance of any other school pupil or school employee in a school or classroom. (d) To conspire to riot or to engage in any school campus or school function disruption or disturbance which interferes with the educational processes.

These provisions are applicable to all educational institutions and violation constitutes a misdemeanor of the second degree.

The development of the policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct included reference to these pertinent Florida statutes.

Current Needs of the College

The primary need of Miami-Dade Community College in the area of student affairs was for a comprehensive, up-to-date policy of students' rights and responsibilities. This need became apparent as the student deans on the four major campuses found it increasingly difficult to administer student discipline adequately. There were existing policies scattered throughout the Policy Manual that needed to be brought together in a single document. To effectively provide for the needs of a student population numbering nearly 60,000 it would also be necessary to include additional items in the new policy of students' rights and responsibilities. In the development of this policy it was beneficial to provide a cross reference to all related college policies and procedures, including the Student Code of Conduct and the student disciplinary procedures developed concurrently. Cross-referencing would contribute significantly to the continuity of the administration of student affairs on the campuses of Miami-Dade and to the correlation of the Students' Rights and Responsibilities document with all existing policies and procedures in the student affairs area. This had not been done in the development of previous student affairs policies which may have contributed to the existence of scattered and unrelated policies and procedures.

The problems being encountered in administering student discipline wer due, in large part, to the inadequacies of the existing policies and procedures. The existing standards of student conduct included brief statements about dishonesty, forgery, disruption, theft, unauthorized entry, violation of college policies, drug violations, disorderly conduct, and failure to comply with directions of college

officials. There were many additional areas that needed to be considered in the development of a code of conduct. These areas would be combined with items from the existing standards of student conduct and the student bill of rights to form the new Student Code of Conduct. This comprehensive code of conduct would necessitate a refinement in the procedures for disciplinary administration. These revised procedures for student discipline would include extensive and concise guidelines to be followed in dealing with alleged student violations of the Student Code of Conduct.

The comprehensive policy statements contained in the students' rights and responsibilities document and the correlation of an up-to-date Student Code of Conduct with student disciplinary procedures should make a significant contribution to the equitable administration of student affairs throughout the college.

Development of Policy and Procedures

The first drafts of the students' rights and responsibilities policy, the disciplinary procedures, and the Student Code of Conduct were developed in conjunction with the college-wide Student Deans' Council at Miami-Dade Community College. The membership of this council includes a chairman representing district administration and the student deans from the four campuses of Miami-Dade. The project began in January, 1977. First the council discussed the problems occurring in the student affairs areas and made suggestions for items to be included in the students' rights and responsibilities policy, student disciplinary procedures, and the Student Code of Conduct. These recommendations were then reviewed in terms of existing college policies

and procedures, available literature, and current laws related to higher education. After this review the first drafts of these documents were written and presented to a professional consultant in the area of student discipline for his comments. He made several suggestions for further organization and clarity in terms of both content and language. The council reviewed these recommendations, made necessary revisions, and developed the second drafts. This process was completed in about six weeks.

It now became necessary to develop a time table for the completion of this project in order that the new policy and procedures would be approved and in place for the fall term, 1977-1978. The next step involved a review of the proposed policy and procedures by students, faculty, and administrators on each of the Miami-Dade campuses. The month of April was devoted to completing this phase of the project. Further revisions in the documents according to campus reviews would be made in May. By June, 1977 the final drafts of these documents would be written. After the president and executive vice president examined the documents and offered their support, the presentation of the proposed policy and procedures would be scheduled for the July District Board of Trustees meeting. If approval was received in July from the Board of Trustees, there would be ample time to have the new policy and procedures printed and available for students, faculty, and administrators at the beginning of the fall term.

Review by Campus Groups

Recommendations from the Deans' Council, the review of current

literature and laws, and the suggestions of a professional consultant contributed to the second drafts of these documents. Next constituent groups of students, faculty, and administrators on each of the campuses offered their comments about the proposed policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct.

The Student Tri-Council (student governance system), the faculty-student discipline committee, the faculty senate, and the campus management team reviewed the three documents at Miami-Dade's North Campus. They asked that clarification be made when the term "college official" is used. Another suggestion was that the section dealing with search and seizure be reviewed by the college attorney for appropriateness according to current laws. Three segments of the Student Code of Conduct were also mentioned. The section discussing complicity was not clearly understood. Under disruption it was suggested that the prohibition of congregating include a description of situations that would be prohibited. They also said that the parking regulation should explain that if the regulation is violated the fines are levied by civil authorities, not the college.

The South Campus had the student judicial system, officers of the Student Government Association, the faculty senate, and the Campus Council (administrative body including the campus vice president, associate deans, and division directors) review the proposed policy and procedures. Regarding the students' rights and responsibilities policy it was recommended that clarification in academic evaluation criteria include a comment about out-of-class behavior as it specifically related to course requirements. There was a question about how

the Student Code of Conduct would be enforced. The answer to this question was contained in the proposed disciplinary procedures which stated that any violations of the Student Code of Conduct should be referred to the office of the Student Dean. There was concern expressed regarding the statement that attendance at Miami-Dade was a privilege. This seemed to be in conflict with current court rulings and the college's long-standing open door policy.

The management team, the faculty senate, and the student services council at the New World Center Campus gave overall acceptance to the proposed documents. They said that the Code of Conduct should spell out the standards of dress to be established in specific areas. There was considerable discussion about complicity and it was recommended that the wording of this section be reviewed. If possible the segment of the policy statement describing protection against improper academic evaluation should be highlighted. Again it was suggested that the legal constraints regarding search and seizure be investigated. There were several opinions about possessing weapons on college property but no recommendations resulted.

The Medical Center Campus offered comments from the vice president, the faculty senate, student groups, and the deans of instruction. Clarification was requested regarding the statement that said the authority for maintaining the orderly functioning of the college was delegated to the campus vice presidents. This statement was reiterated by the college president and was so stated in the proposed disciplinary procedures. There were questions about "other appropriate actions" which were listed under disciplinary sanctions in the proposed disciplinary procedures. The content of that clause was not clear and they

felt it should be clarified in the document. There was a final question which was referred to legal counsel regarding whether a plea of nolo contendere could be entered for any violation of the Student Code of Conduct. The response from the college attorney was that a plea of nolo contendere could only be entered for criminal charges and therefore was not applicable here.

All groups reviewing the documents agreed that charges of academic dishonesty should be handled by the appropriate academic areas as indicated in these policies and procedures. They said that the procedures to handle these situations should be developed by the respective academic departments. The general consensus from all the groups reviewing the documents was that they were well-developed.

Final Revision of Policy and Procedures

The comments, questions, and suggestions offered by the various segments of the college community on each of the campuses were given careful consideration in the writing of the final drafts of the policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct.

After these revisions were made the three documents were presented to the college attorney for a legal opinion regarding their contents. He examined the documents and stated that the newly proposed policy and procedures, as revised, seemed to be "excellent" from a legal point of view. He also commented that the policy of students' rights and responsibilities, the disciplinary procedures, and the Student Code of Conduct, when approved, would be the most current, complete, and probably the most effective set of rules and regulations

to be adopted anywhere in the state.

In that no further changes were recommended, the final drafts were scheduled for presentation to the college's president, executive vice president, and the District Board of Trustees.

Request for Official College Approval

The final drafts of the policy of students' rights and responsibilities, the disciplinary procedures, and the Student Code of Conduct were first presented to the president and executive vice president of the college for their approval. After this review and approval the three documents were placed on the agenda of the District Board of Trustees' July, 1977 meeting. At this meeting the official sanction of the college was requested for the three documents.

Expected Results

Following the procedures described should result in the development of a comprehensive, up-to-date policy of students' rights and responsibilities, student disciplinary procedures, and a Student Code of Conduct. Also, it is expected that the request for college approval of the three documents will be granted by Miami-Dade Community College's president, executive vice president, and District Board of Trustees. Once official college approval is received it will be recommended that the new policy, procedures, and Code of Conduct be printed and made available to students, faculty, and administrators throughout the college.

The implementation of the policy and procedures should result in the improvement of the administration of student affairs at Miami-Dade in terms of both efficiency and effectiveness. It is also anti-

cipated that the procedures followed for this project may serve as a model for the development of other policies and procedures at Miami-Dade or at other colleges.

Limitations of the Project

The procedures followed in completing this project included reviewing pertinent literature and laws, examining existing college policies and procedures, developing and revising new policy and procedures, receiving suggestions and ideas from all segments of the college community regarding the documents, writing further revisions, having the documents reviewed by a professional consultant and the college attorney, and receiving official college approval for the three documents. It might have added to the completeness of the policy and procedures developed if student deans from other community colleges had been contacted and asked to contribute their ideas. Pending legislation at local, state, and federal levels might have been researched so that the documents developed included the content of upcoming laws and regulations.

In the development of the policy of students' rights and responsibilities mention was made of all related college procedures. Many of these procedures had been recently or were concurrently developed with this policy. There were, however, three existing procedures mentioned in the new policy document that needed revision. Time limitations did not allow for the revision of these procedures but it is suggested that they be updated and rewritten as soon as possible. After these procedures are revised the policy developed for this project will serve as the reference for a complete set of related, up-to-date procedures.

Chapter 4

RESULTS

For the first time a variety of topics related to student life were organized into a single policy of students' rights and responsibilities (Appendix R). This document, along with the disciplinary procedures and the Student Code of Conduct, was in developmental stages for seven months. It was critiqued on numerous occasions and refined by the Council of Student Deans and an external consultant. Then it was reviewed by students, faculty, and administrators on all campuses and by the college attorney. At this point it was put in final form and official college approval was requested.

This comprehensive policy contained the provisions for effective student participation in the Miami-Dade community. It covered protection in academic pursuits, privacy of records, conditions for responsible behavior on the campus, appeal and grievance mechanisms, and student discipline. It incorporated all the areas suggested for inclusion by professional groups, all segments of the college, a professional consultant, and legal counsel. It also allowed for the deletion of five separate existing policies which dealt with admissions, student activities, student conduct, dismissal of students and financial aid as the content of these policies was included in this new policy document.

The policy of students' rights and responsibilities was

organized into general categories with subdivisions. The first area covered freedom of access to higher education and included a description of the policy pertaining to open admissions and financial aid programs at Miami-Dade. There were subheadings that dealt with the denial of admission to Miami-Dade and policy regarding psychologically unfit students. Reference was made to the college procedures that further elaborated these positions.

The next section enumerated the criteria for evaluation of students. This included statements about academic evaluation, protection of freedom of expression, protection against improper academic evaluation, protection against improper disclosure, utilization of lectures for study, academic dishonesty, and right of petition. Student records were discussed next. This included the commitment of the college to abide by federal and state regulations regarding the privacy of student records and the format for the destruction of disciplinary records. It also made reference to three college procedures which describe the implementation of these policy statements.

The fourth category of policy statements described the student affairs standards needed to insure the freedom of all students. Individual sections described the college regulations pertaining to freedom of association, freedom of inquiry and expression, use of facilities, visiting speakers, grievance procedure, participation in college policies, student publications, and distribution of literature. Related policies and procedures were referred to throughout this section as applicable.

Policies related to the off-campus freedom of students were presented in section five. The main categories in this section dis-

cussed the rights of citizenship, institutional authority, and civil penalties. The disciplinary procedures that were developed as part of this project were mentioned here as well as in the next section dealing with discipline.

The disciplinary proceedings at Miami-Dade were described in section six. It clearly stated there that by the act of registering a student has agreed to abide by the rules and regulations of the college. This includes the adherence to regulations in the Student Code of Conduct and to the disciplinary procedures which were developed in conjunction with this policy document.

The last section in the students' rights and responsibilities policy document described the relationship of open college students to the college. It was decided that these students would be subject to disciplinary procedures of the campus they designated as their home campus.

The student disciplinary procedures (Appendix S) were developed to provide guidelines for dealing with alleged student violations of the Student Code of Conduct. This document incorporated existing procedures for disciplinary administration with additional items suggested for inclusion to more completely meet the needs of the student deans on the four campuses. The procedures followed for the development of the policy of students' rights and responsibilities were also adhered to for the development of these procedures and the Student Code of Conduct.

A complete description of the manner in which college investigations would be conducted was described first. This covered specific guidelines for preliminary hearings, formal charging, public

court cases, pleas, preliminary matters, campus committees and their responsibilities, hearings, penalties, confidentiality, postponements, and temporary suspension. The next section dealt with disciplinary sanctions including dismissal, suspension, temporary suspension, final disciplinary probation, disciplinary probation, disciplinary censure, restitution, restriction of privileges, and other appropriate action. The procedure for destroying disciplinary records was then discussed along with the appeals process. There was a final section which stated that charges of academic dishonesty would be handled by the department or division where the infraction occurred.

The Student Code of Conduct (Appendix T) was developed in conjunction with the disciplinary procedures. It set forth the college regulations for student behavior which were deemed necessary to carry out the mission of the college. There were 35 regulations described in the code ranging from rules about alcohol and arson to the use of vehicles and possession of weapons on college property.

Some of the regulations included in the Code of Conduct had been described in the standards of student conduct which was a Miami-Dade policy. This policy was deleted and the statements contained therein were incorporated in the Code of Conduct. Many additional regulations were added to the document to meet the existing needs of the college community in regard to the regulation of student behavior.

The comprehensive, up-to-date policy of students' rights and responsibilities, student disciplinary procedures and Student Code of Conduct received the approval of Miami-Dade Community College's president, executive vice president, and District Board of Trustees. These documents are now the official college policy and procedures in the

area of student affairs at Miami-Dade.

Chapter 5

DISCUSSION, IMPLICATIONS, AND RECOMMENDATIONS

Discussion

After a thorough analysis of the needs of Miami-Dade Community College in the area of student discipline, it was apparent that a comprehensive policy of students' rights and responsibilities, disciplinary procedures, and a Student Code of Conduct were needed. The documents developed incorporated the content of existing policies and procedures with new regulations and guidelines to better meet the needs of the college in the administration of student affairs.

One of the complaints expressed by the student deans was that it was difficult to administer student discipline consistently or equitably from campus to campus due to the fact that many of the existing college policies and procedures were outdated. This concern prompted the inclusion of major revisions in all student affairs policies and the incorporation of these revised policies into a single policy of students' rights and responsibilities (Appendix R). The inclusion of related policy statements in a single document, rather than treating them as separate policies, would allow for increased unverstanding of the entire student affairs area by all segments of the college community.

The disciplinary procedures developed (Appendix S) provided due process for students and took into consideration the contractual

relationship between Miami-Dade and its students. The existing procedures were not adequate but the updating of them placed the college in a much sounder position regarding recent legal rulings.

Participation by students, faculty, and administrators in the development of the policy and procedures contributed significantly to the comprehensiveness of the documents. In addition, as a result of this broad participation there should be heightened commitment to the new policy and procedures as they are implemented.

The new Student Code of Conduct (Appendix T) included the regulations for student behavior at Miami-Dade. Expanding the regulations and presenting them to the students in a concise, organized manner provided the students' with complete guidelines for acceptable behavior at Miami-Dade. This gave the students the opportunity to participate more responsibly in the college community.

Although the time required to complete the project was of considerable length, it seemed necessary to include all the steps followed. The policy and procedures developed would not meet the college's needs as completely if any aspect of the practicum had been omitted. The thoroughness of the procedures certainly contributed to receiving approval from the college president, vice president, and Board of Trustees.

Implications

Miami-Dade Community College is a large, multi-campus community college with an enrollment nearing 60,000 students. The student deans on the four major campuses had been having diffuculty administering student discipline due to the lack of organization and thorough-

ness of existing college policies and procedures. The policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct developed for this project would resolve many of these problems. Now there was an official college policy that integrated the major regulations of student affairs into a single document. Also, developing a new Code of Conduct and accompanying disciplinary procedures which met the current needs of the college regarding student behavior would add considerably to the equitable administration of student discipline from campus to campus.

Student grievances were often heard concerning the lack of specific guidelines for their behavior. These complaints would be greatly decreased with the implementation of the more complete and up-to-date Student Code of Conduct. The litigation being brought against Miami-Dade Community College would also be lessened upon implementation of the new policy and procedures.

Historically at Miami-Dade if a problem arose that required an official college regulation, a policy would be developed specifically to meet that need. This resulted in an unrelated set of policies serving as the administrative framework for the college. The development of the policy of students' rights and responsibilities incorporated all related student affairs policies into a single document. This comprehensive document would be more readily understood and would add to the continuity of the administrative structure. The establishment of other comprehensive policy documents would also enhance the clarity of Miami-Dade Community College's policy system.

Recommendations

If the policy of students' rights and responsibilities, the student disciplinary procedures, and the Student Code of Conduct are to contribute to the effective administration of student affairs at Miami-Dade, it is important that these documents be made readily available to the students, faculty, and administrators on the four campuses. Since the policy and procedures are related, it is recommended that all three documents be printed and presented together to all segments of the college community.

The procedures followed for this project should be made available to other groups at Miami-Dade and to other colleges developing policies and procedures. This would afford them the opportunity to develop a similar procedural framework which should result in the development of comprehensive, up-to-date policies and procedures.

The review of any new policy or procedure by legal counsel is strongly recommended in view of the increased legislation affecting higher education. Receiving official college approval for the students' rights and responsibilities policy, the disciplinary procedures, and the Student Code of Conduct was enhanced by the college attorney's certification that the documents were more than adequate from a legal standpoint.

Eight months were required to complete this project. Although this is considerably longer than the time suggested for practicum completion, it is recommended that the procedures followed for this project be adhered to for the development of additional policies. Leaving out any phase of the project would decrease the effectiveness of the documents being developed.

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APPENDICES

MANUAL OF POLICY

TITLE	ADMISSIONS AND REGISTRATION	NUMBER IV - 1
LEGAL AUTHORITY	STATE BOARD OF EDUCATION REGULATION 6A-8.62	PAGE 1 of 1

POLICY:

1. Requirements for admission to and retention in a junior college or any program of a junior college shall be established by policies of the Board of Trustees.

2. Admission to college credit studies is open to all high school graduates, transfer students, persons with state issued high school equivalency certificates or diplomas, persons 18 years of age or older and other special categories. A record of good conduct and citizenship is required, as well as official transcripts of previously completed educational work and related documentation necessary to complete an applicant's admission to Miami-Dade Junior College.

APPROVED BY DISTRICT BOARD OF TRUSTEES DATE: 4/1/70	AUTHENTICATED EXECUTIVE VICE PRESIDENT DATE 4/9/70 Robert Cole

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revised 4/1/70

MANUAL OF POLICY

TITLE	STUDENT ACTIVITIES PROGRAM	NUMBER IV - 4
LEGAL AUTHORITY	STATE BOARD OF EDUCATION REGULATIONS 130-8.41(4)(b) and 130-8.771(8)	PAGE 1 of 1

POLICY:

1. A comprehensive and well-balanced student activities program will be established in order to create an atmosphere conducive to the maximum self-development of all students.

APPROVED BY DISTRICT BOARD OF TRUSTEES DATE: 7/1/68	AUTHENTICATED EXECUTIVE VICE PRESIDENT DATE 9/5/69 Robert H McCabe

MANUAL OF POLICY

TITLE	STUDENTS' BILL OF RIGHTS	NUMBER IV-5
LEGAL AUTHORITY	MINUTES OF THE DISTRICT BOARD OF TRUSTEES' MEETING	PAGE 1 of 8

DISTRICT BOARD OF TRUSTEES APPROVAL 5/5/70
DATE

POLICY:

PREAMBLE

Miami-Dade Community College exists for the open interchange of knowledge and philosophies, the development of a capacity for critical judgment, and the creation of an atmosphere conducive to the independent search for truth and to the gaining of practical experience in our community. Free inquiry and free expression are indispensable to the attainment of these goals. This institution has a responsibility to develop policies which encourage the broadest possible participation of the college community. Procedures for the implementation of policies may vary from campus to campus.

The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

The purpose of the Students' Bill of Rights is to enumerate the essential provisions for student freedom to learn and to participate in the college community.

I. FREEDOM OF ACCESS TO HIGHER EDUCATION

Within the limits of its facilities, Miami-Dade Community College is open to all persons who are qualified according to its admission and good standing policies. Under no circumstances will a U. S. Citizen be barred from admission to Miami-Dade Community College on the basis of sex, race, creed, or national origin. It is the responsibility of the college to publish its educational objectives and to make available the criteria it shall use in evaluating student success in all programs. It is the responsibility of the student to avail himself of a knowledge of these objectives and criteria as published and set forth by Miami-Dade Community College. Provided they are used in a manner appropriate to the academic community and in compliance with college policies, the facilities and services of the college will be open to all of its enrolled students.

II. IN THE CLASSROOM

The professor in the classroom and in conference will encourage free discussion, inquiry and expression where relevant and appropriate to the educational objectives of the course. The professor will not grade the student on opinions expressed or on outside-of-class behavior.

1/20/75

TITLE	STUDENTS' BILL OF RIGHTS	NUMBER IV-5
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A. Protection of Freedom of Expression

The student will be free to state reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but he is responsible for learning the substance of any course of study for which he is enrolled.

B. Protection Against Improper Academic Evaluation

The student will have protection through orderly procedures against unfair academic evaluation. A student's grade will be based solely on academic achievement, unless otherwise specified by the professor in writing at the first class meeting.

C. Protection Against Improper Disclosure

Information about student views, beliefs and political associations which professors acquire in the course of their work as instructors, advisors, and counselors should be considered confidential. Protection of the student against improper disclosure is a serious obligation incurred by the teaching profession. With regard to official documents (items which go out of Registrars' and Deans' offices), all judgments of ability and character given by the college are subject to examination by the student if he requests.

D. Utilization of Lectures for Study

Students may, with permission of the instructor, be permitted to record classroom lectures by any audio-visual or graphic means to be utilized as reference material and not to be utilized verbatim for personal gain.

III. STUDENT RECORDS

Miami-Dade Community College will have a clearly stated policy available in campus publications concerning the manner in which a student's permanent educational record is handled and disclosed. To minimize the risk of improper disclosure, academic and disciplinary records will be separate, and the conditions of access to each will be set forth in an explicit policy statement. Transcripts of academic records will contain only information about academic status. Information from disciplinary or counseling files will not be available to unauthorized persons on campus or to any person off campus without the express consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved. No records will be kept which reflect the political activities or beliefs of students. Provision will be made for periodic routine destruction of non-current disciplinary

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records, except infractions of a serious nature as determined by the Faculty-Student Discipline Committee, or the appropriate Dean of Student Personnel Services. Administrative staff and faculty members will respect confidential information about students which they acquire in the course of their work.

IV. STUDENT AFFAIRS

In student affairs certain standards must be maintained if the freedom of students is to be preserved.

A. Freedom of Association

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They will be free to organize and join associations to promote their common interests, as long as they do not disrupt the college, or violate its rules and regulations.

1. Campuses may establish procedures for the recognition of student organizations. After institutional recognition is granted, the membership roster will be destroyed each year upon request of the organization (these rosters will be available only to Directors of Student Activities). Organizations which participate in intramural athletics, or those organizations whose members desire that their membership be a matter of record, shall keep membership lists on file.

   The membership, policies and actions of a student organization will be determined by vote of only those persons who hold bona fide membership in the Miami-Dade Community College community.

2. If campus advisors are required, each organization will be free to choose its own advisor from the faculty. If an organization is unable to secure an advisor, the appropriate organizational council and/or student personnel staff will act as interim advisor until such time as another advisor can be secured. The organization, however, must secure an advisor within the period of time currently required by the student organizational council's regulations. Campus advisors may advise organizations in the exercise of responsibility, but they will not have the authority to control the policy of such organizations, where the policy is not in violation of college or organizational council's policies.

3. Campus organizations, including those affiliated with an extramural organization, will be open to all students without respect to race, creed or national origin, except for religious qualifications which

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may be required by organizations whose aims are primarily sectarian.

4. Affiliation with an extramural organization will not of itself disqualify a student organization from institutional recognition.

B. Freedom of Inquiry and Expression

Students and student organizations will be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They will always be free to support causes by orderly means which do not disrupt the operation of the institution.

The education of a student can never be limited to what takes place in a classroom. It is necessary for him, from time to time, to have the privilege of availing himself of the stimulation that visiting speakers can afford. It is the student's right to petition the administration in order to invite outside speakers to the campus. Those procedures required by the administration before a guest speaker is allowed to appear on campus will be designed to insure that there are orderly scheduling of facilities and adequate preparation for the event and that the occasion is conducted in an orderly manner, appropriate to the academic community. The institutional control of campus facilities will not be used as a device of censorship. In cases involving a reasonable prediction of disruptions on the campus, because of the controversial nature of a speaker or his subject, or both, an invitation may be withheld. It is the responsibility of the students who invite outside speakers to make it clear to the academic and larger communities that all views expressed are not those of the students of Miami-Dade Community College.

C. Student Participation in College Policies

As constituents of the academic community, students will be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The means by which students participate in the formulation and application of institutional policy affecting academic and student affairs will be clearly defined.

The established role and responsibilities of Student Government and its constitution and bylaws may be limited only through procedures which are mutually agreed upon by Student Government and the administration of Miami-Dade Community College.

D. Student Publications

Student publications and the student press constitute one of the strongest

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means of encouraging an atmosphere of responsible discussion and intellectual exploration on the campus of Miami-Dade Community College. It is, therefore, necessary for the College to grant such freedom in editorial policies and in selection of news as will be consistent with its educational aims. Insofar as it dedicates itself to responsible inquiry and becomes an outlet for responsible student opinions, the student press will be free of censorship and pressure from the administration, faculty, student government, or student groups.

At the same time, this freedom entails corollary responsibilities to be governed by the general canons of responsible journalism in the United States, such as accurate, equal and fair reporting of the news, the avoidance of libel, indecency, undocumented allegations and attacks on personal integrity.

The college administration, in conjunction with both students and faculty, shall provide written clarification of the role of student publications and the standards of journalism to be maintained.

Responsible student journalists, dedicated to the ideals of free and independent inquiry, must be protected from either suspension or dismissal because of student, faculty, administrative, or public disapproval of editorial opinions expressed, if the above limitations are observed.

Only for proper and stated causes will editors be subject to removal and then by orderly and prescribed procedures. However, it is understood that all student publications will explicitly state on the editorial page that the views expressed are not necessarily those of the administration, faculty, or student body as a whole.

V. OFF-CAMPUS FREEDOM OF STUDENTS

A. Exercise of Rights of Citizenship

Miami-Dade Community College students are both citizens and members of the campus community. As citizens, students will enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy; and, as members of the academic community, they are subject to the responsibilities inherent in this membership.

B. Institutional Authority and Civil Penalties

Activities of students may, upon occasion, result in violation of law.

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Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority will never be used merely to duplicate the function of general laws. Only where Miami-Dade Community College's interests are distinct and clearly involved should the special authority of the institution be asserted. Institutional action should be independent of community pressure.

VI. DISCIPLINE

It is recognized that disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. It is also recognized that educational institutions have the duty to protect their educational purposes through the reasonable regulation of student conduct and the use of the institution's facilities. Due process and proper procedural safeguards will be observed to insure that students' rights are protected.

The standards of conduct, together with the jurisdictions of faculty, faculty-student, or student judicial bodies, the disciplinary responsibilities of institutional officials, and the regular disciplinary procedures, including the student's right to appeal a decision, will be clearly formulated and communicated in advance through such means as a student handbook or a generally available body of institutional regulations.

A. Investigation of Student Conduct

1. The personal possessions of students will not be searched except in areas where this is accepted practice (refer to section on Security) or by mutual consent; otherwise, the ordinary requirements for lawful search will be followed.

2. Pending action on charges of violation of institutional regulations, the status of a student will not be altered, or his right to be present on the campus and to attend classes suspended. However, pending an administrative hearing, the President may suspend a student for reasons relating to his physical or emotional safety and well-being, or for reasons relating to the safety and well-being of other students, faculty or college property. If such status has been altered for any of these reasons, it is expected that the resolution of charges will be made within a reasonable length of time.

B. Hearing Procedures

Practices in disciplinary cases may vary in formality with the gravity of the offense and the sanctions which may be applied. Each particular case will be judged by its own merits.

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In all situations, procedural fair play requires that the student be informed of the nature of the charges against him, that he be given a fair opportunity to refute them and that the accuser be identified. Harassment will not be used by Miami-Dade Community College representatives to secure admissions of guilt or information about the conduct of other suspected persons.

Students accused of infractions of college policy are entitled to a hearing before a campus official, the Student Honor Court, or the Student-Faculty Discipline Committee. The appropriate college jurisdiction will be determined by campus procedure. Regardless of the hearing body, the student is entitled to the equitable right of appeal.

When the accused agrees to accept the stated penalty to be imposed by a college official, a hearing may be waived. If the accused questions the fairness of the disciplinary action to be taken against him, he shall have the right to a formal hearing before a regularly constituted hearing body of the college.

The following hearing committee procedures satisfy the requirements of "due process" in situations requiring a high degree of formality:

1. No member of a hearing committee who has a personal interest in a particular case, other than through his assigned duties, should sit in judgment during the proceedings.

2. The accused will be informed in writing of the reasons for proposed disciplinary hearing with sufficient particularity and in sufficient time to insure opportunity to prepare for the hearing.

3. The accused appearing before the hearing committee will have the right to counsel of his choice acting in an advisory capacity only.

4. The accused will be considered innocent until the appropriate hearing body determines otherwise beyond a reasonable doubt.

5. The accused will have the right to testify and to present evidence and witnesses. He will have the right to hear and question all witnesses. In no case will the committee consider statements against the accused unless he has been advised of their content and of the names of those who made them, and unless he has been given an opportunity to rebut unfavorable inferences which might be drawn.

TITLE	STUDENTS' BILL OF RIGHTS	NUMBER IV-5
LEGAL AUTHORITY	MINUTES OF THE DISTRICT BOARD OF TRUSTEES' MEETING	PAGE 8 of 8

6. All matters upon which the decision may be based must be introduced into evidence at the proceedings before the hearing committee. The decision will be based solely upon such matters. Admissibility of evidence will be determined by the hearing body.

7. There will be both an abstract and a verbatim record, such as a tape recording, of the hearing.

8. An appeal from the decision of the hearing body can be made by the accused to the Dean of Student Personnel Services, to the Campus Vice President, to the President of the College, in that order.

[signature] 12/9/74		[signature] 12/3/74	
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE

MANUAL OF POLICY

TITLE	STANDARD OF STUDENT CONDUCT	NUMBER IV - 5A
LEGAL AUTHORITY	FLORIDA STATUTES, CHAPTER 69-274, 69-366, 69-279	PAGE 1 of 2

POLICY:

1. A student enrolling in Miami-Dade Junior College assumes an obligation to conduct himself in a manner compatible with the college's function as an educational institution. Misconduct for which students are subject to discipline falls into the following categories:

   A. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the college.

   B. Forgery, alteration, or misuse of college documents, records, or identification.

   C. Disruption of the normal activities of the institution, in accordance with Florida Statutes, Chapter 69-279, House Bill No. 590. Disruption of normal activities shall include, but not be limited to the following:

      1. Physical violence or abuse of any person on college-owned or controlled property, or at college-sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person.

      2. Deliberate interference with academic freedom and freedom of speech (including not only disruption of a class, but also interference with the freedom of any speaker invited by any section of the college community to express his views).

      3. Forcible interference with the freedom of movement of any member or guest of the college.

   D. Theft of, or damage to, property of the college or of a member of the college community or campus visitor.

   E. Unauthorized entry to, or use of, college facilities.

   F. Violation of college policies or of campus regulations, including campus regulations concerning the registration of student organizations, the use of college facilities,

TITLE	STANDARD OF STUDENT CONDUCT	NUMBER IV - 5A
LEGAL AUTHORITY	FLORIDA STATUTES, CHAPTER 69-274, 69-366, 69-279	PAGE 2 of 2

or the time, place, and manner of public expression.

i. Charged with, arrested for, and/or convicted of possession, use or distribution of any narcotic drug, central nervous system stimulant, hallucinogenic drug, or barbituate as defined in Chapters 398 and 404 of the Florida Statutes.

H Disorderly conduct, or lewd, indecent, or obscene conduct or expression on college-owned, or controlled property, or at college-sponsored or supervised functions.

I. Failure to comply with directions of college officials acting in the performance of their duties.

J. Conduct which adversely affects the student's suitability as a member of the academic community.

APPROVED BY DISTRICT BOARD OF TRUSTEES DATE: 10/1/69	AUTHENTICATED EXECUTIVE VICE PRESIDENT DATE

TITLE	INSTITUTIONAL GRIEVANCE POLICY FOR STUDENTS ALLEGING DISCRIMINATORY PRACTICES	NUMBER IV-6
LEGAL AUTHORITY	ACTION OF THE DISTRICT BOARD OF TRUSTEES	PAGE 1 of 5

DISTRICT BOARD OF TRUSTEES APPROVAL 11/10/76
DATE

POLICY:

Miami-Dade Community College recognizes that students can face discriminatory practices despite its strong commitment as an equal access/equal opportunity institution. It is for this reason and to comply with Title IX that the College establish a procedure to allow students an opportunity to come forward and make known any action on the part of the College and/or its employees which they feel has violated their rights. The College will attempt to satisfy the aggrieved student and correct any and all practices which in fact have been proven to be of a discriminatory nature. All students should be aware of the procedures set forth below, as this is the process to be followed if they feel that they have not been treated fairly at Miami-Dade Community College.

A. Any questions relating to appeal of student grades should be handled in accordance with Procedure Number 8201 regarding the Appeal of Student Grades. This involves questions of grades that are associated with an alleged discriminatory practice. All other discriminatory practice charges shall be handled as follows.

B. Each campus has designated an office which will have specific responsibility for coordinating the process of investigating complaint of alleged discrimination. This campus office will serve as the initial contact point for students to lodge a claim of discrimination. The individual from the professional staff assigned to this office will function in the role of a facilitator, ombudsman, referral agent, and will monitor all the actions that are needed to be followed up as a result of a claim of discrimination. The name of the office with this responsibility and its location are listed below:

Name of Office	Location
1. Dean of Students	South
2. Dean of Student Services	Downtown
3. Student Organizationsand Services	Medical Center
4. Student Development	North

TITLE	INSTITUTIONAL GRIEVANCE POLICY FOR STUDENTS ALLEGING DISCRIMINATORY PRACTICES	NUMBER IV-6
LEGAL AUTHORITY	ACTION OF THE DISTRICT BOARD OF TRUSTEES	PAGE 2 of 5

a. Upon listening in an informal setting to the allegation, the campus officer will determine in his/her best professional judgment whether the charge should be reduced by the student to writing and pursued in a serious and diligent manner. In some instances it is anticipated that initial claims of discrimination can be explained on the basis of standard College policy which applies to all students; that some can be handled in a counseling situation; and that some can be resolved administratively without further action.

b. If further action is determined, then the specific claim, including the circumstances surrounding the charge, and individuals involved, etc. will all be reduced by the student to writing. At this point, the campus officer will make the appropriate referrals and determine whether communication should take place (written or oral) between his/her office and the office or individual where the student was referred. A copy of the written allegation will be forwarded to the District College-wide Equal Access/Equal Opportunity Coordinator.

C. The campus officer must follow-up on all charges of discrimination which have been reduced to writing. These must be logged in a systematic fashion and available for inspection at any time by the District College-wide Equal Access/Equal Opportunity Coordinator. The final disposition of the charge must also be documented and available for inspection and/or reporting purposes. (The attached form should be used.)

D. The College will attempt to keep the grievance procedure and referral process within the existing College organizational structures. An attempt will be made to work out any of the problems regarding discrimination through the appropriate faculty and administrative channels of authority. This does not preclude the campus officer from conducting a formal, due-process hearing with faculty, administrative, and student representation if there cannot be satisfactory resolution through the existing systems.

E. The campus officer, fulfilling the role as the facilitator of the process of resolution, will bring closure to each case of alleged discrimination by either receiving information back from the student and/or those charged with or involved with the investigation of

TITLE	INSTITUTIONAL GRIEVANCE POLICY FOR STUDENTS ALLEGING DISCRIMINATORY PRACTICES	NUMBER IV-6
LEGAL AUTHORITY	ACTION OF THE DISTRICT BOARD OF TRUSTEES	PAGE 3 of 5

discrimination. If a formal hearing is convened, a verbatim record (tape recording) of the proceedings will be kept. This information will be communicated to the District College-wide Equal Access/Equal Opportunity Coordinator.

1. An opportunity for a formal hearing is afforded the student before any direct appeal to the Campus Vice President is permissible (Area Head for Open College).

2. The formal hearing will be conducted as a last resort effort to resolve the allegation if no satisfactory resolution can be obtained through the normal faculty/administrative channels. The hearing will be conducted in such a way as to fulfill all conditions of due process. The hearing will take place at the Student Dean's level (Divisional level for Open College) and the outcome of the hearing will be forwarded to the Campus Vice President as a recommendation for action.

F. The substance of this procedure will be disseminated to students each term through the student newspapers and placed on strategic bulletin boards, etc. Additionally, the policy will be published in the College Manual of Policy which is available in libraries and in all administrative offices throughout the College. Further, the provisions of the grievance policy will be presented in the College catalog.

Summary of Steps in the Grievance Policy

1. Students contact the campus office designated to discuss and review a claim of discrimination.

2. If not resolved at Step 1, the allegation will be reduced to writing and directions by the campus officer for resolution will be followed.

3. If not resolved at Step 2, the student may appeal directly to the Campus Vice President's office.

PART I

57

DISCRIMINATION CHARGE AFFIDAVIT

Date: _____

(Please Print)

STUDENT NAME: _____
First Middle Last

STUDENT NUMBER: _____ PHONE: _____

I, the undersigned student, wish to register a formal complaint as a result of encountering an act of discrimination while attending Miami-Dade Community College. Specific circumstances surrounding this allegation are as follows:

(Describe the situation fully, including dates, individual(s) involved and the process in which the discriminatory act occurred): _____

I fully realize the seriousness of this charge, and request Miami-Dade Community College conduct a full investigation.

Signature _____

(over)

TO BE COMPLETED BY CAMPUS OFFICER:

Name _____ Title _____ Campus _____ Date _____

I. RESOLUTION PROCESS SUGGESTED: _____

II. SPECIFIC ACTION TAKEN BY STUDENT: _____

III. SPECIFIC ACTION TAKEN BY THE COLLEGE: _____

IV. FINAL RESOLUTION OF THE CHARGES (Recommendations of hearing committee where applicable): _____

Signature: _____ Signature: _____
Campus Vice President Campus Officer

Date: _____ Date: _____

cc: Dr. Peter Masiko, Jr., President
College-wide EA/EO Officer

JTK - 11/1/76

MANUAL OF POLICY

TITLE	DISMISSAL OF STUDENTS DEEMED PSYCHOLOGICALLY UNFIT	NUMBER IV - 40
LEGAL AUTHORITY	ACTION BY DISTRICT BOARD OF TRUSTEES	PAGE 1 of 1

DISTRICT BOARD OF TRUSTEES' APPROVAL 5/5/1970
DATE

POLICY:

1. Students, who by their actions on campus are suspected of being psychologically unfit to be members of the student body, may be required at college expense to provide clearance from a licensed psychiatrist as a condition for their continued enrollment at Miami-Dade Junior College. The fee for these services shall not exceed $2,500.00 annually.

Robert Cole	6-4-70	[illegible]	6-5-70
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE

TITLE	FINANCIAL AID	NUMBER IV - 70
LEGAL AUTHORITY	STATE BOARD OF EDUCATION REGULATIONS 130-8.61(10)	PAGE 1 of 1

POLICY:

1. The President will establish student financial aid programs involving grants, loans, and employment so that no qualified student will be denied a college education because of lack of funds.

2. No person will, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under financial aid programs.

APPROVED BY DISTRICT BOARD OF TRUSTEES DATE:7/1/68	AUTHENTICATED EXECUTIVE VICE PRESIDENT DATE 9/5/69 Robert H McCabe

TITLE	NUMBER	PAGE
DISCIPLINARY ADMINISTRATION	4070	1 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
I-12: DISCIPLINE	October 15, 1970	

I. PURPOSE:

To provide a procedure administering disciplinary action that will insure equitable treatment; to provide due process for the students involved; to protect the college community and to preserve academic freedom for students and faculty.

In accordance with Chapter 69-279 of the Florida Statutes, any person who accepts the privilege of attendance or employment at a state junior college deems to have given his consent to abide by the policies of that institution.

II. PROCEDURE:

After it has been determined that a student of the institution has violated college policy, disciplinary action may be imposed against the individual.

A. Emergency Action

If any individual's presence on the campus may prove hazardous to the safety of the student body or to college property, a duly authorized administrator may take immediate action to remove the potential threat to the college community.

1. Persons authorized to take summary action:

President
Executive Vice President
Campus Vice Presidents

2. If the individual is identified as a student of this institution, the authorized administrator, after determining that immediate action is necessary, may impose interim suspension on the individual pending an administrative hearing.

3. Provisions for an administrative hearing - the President or his designee(s) will schedule an administrative hearing within five days of the effective date of the interim suspension.

4. Final action will be based upon the administrative hearing committee's recommendation submitted to the President.

B. Administrative Hearing

1. The campus Vice President will appoint a Campus Disciplinary Committee composed of students and professional staff.

TITLE	NUMBER	PAGE
DISCIPLINARY ADMINISTRATION	4070	2 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
I-12: DISCIPLINE	October 15, 1970	

2. A personal interview will be arranged with the campus Vice President or his designee to apprise the individual of the information which the College has in its possession.

3. After the interview, the individual will be notified by registered letter of the information the College has in its possession regarding his involvement together with notification of a scheduled meeting with the Campus Disciplinary Committee.

4. The meeting will be informal and the individual will be entitled to all information available to the Committee as well as being able to question any accusers who may be present. Basically the individual will be requested to explain any extenuating circumstances concerning the incident which may affect continued registration.

5. The Committee's decisions will be based on the information available to them.

6. The student will be informed by letter of the decision of the Campus Displinary Committee and these results will be forwarded to the appropriate college officials. These files will be maintained as confidential and under appropriate security.

7. Findings of the Campus Disciplinary Committee will be forwarded in the form of recommendations to the President through the campus Vice President for final disposition.

C. Waiver of Administrative Hearing or Appeal

An administrative hearing or appeal may be waived by the student signing a Waiver of Hearing/Appeal form under the following conditions:

1. Admission of guilt

2. Acceptance of the recommendation of the administrative hearing.

After acceptance of one of the above, disciplinary action will be imposed by the appropriate college administrator.

D. Types of Disciplinary Action

1. Warning: Notice to the student that continuation or repetition of specified conduct may be cause for other disciplinary action (authorized by the Dean of Students).

TITLE	NUMBER	PAGE
DISCIPLINARY ADMINISTRATION	4070	3 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
I-12: DISCIPLINE	October 15, 1970	

2. Censure: Written reprimand for violation of specified regulation (authorized by the Dean of Students).

3. Disciplinary Probation: Exclusion from participation in privileges or extracurricular college activities as set forth in the notice of disciplinary probation for a specified period of time (authorized by the Dean of Students).

4. Restitution: Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages (authorized by the President, Executive Vice President, or campus Vice Presidents).

5. Interim Suspension: Exclusion from classes and other privileges or activities as set forth in the notice of interim suspension, pending final determination of an alleged violation (authorized by the President, Executive Vice President, or campus Vice Presidents).

6. Suspension: Exclusion from classes and other privileges or activities as set forth in the notice of interim suspension pending final determination of an alleged violation (authorized by the President, Executive Vice President, or campus Vice Presidents).

7. Dismissal: Termination of student status for an indefinite period. The student may be readmitted to the College only with the specific approval of the President or the Executive Vice President.

8. Expulsion: Permanent termination of student status without possibility of readmission to any campus of the College is authorized by the President or Executive Vice President.

9. Minor infractions of campus codes and regulations will be under the jurisdiction of the campus Dean of Students who will administer disciplinary action as prescribed by the appropriate procedure approved for his respective campus.

E. Discipline in Drug Cases

Whenever the President receives information that a student at the College has been arrested for unlawful possession of any

TITLE	NUMBER	PAGE
DISCIPLINARY ADMINISTRATION	4070	4 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
I-12: DISCIPLINE	October 15, 1970	

narcotic drug, central nervous system stimulant, hallucinogenic drug or barbiturate, as identified or defined in either Chapters 398 or 404, Florida Statutes, the President shall proceed in the manner as set forth in Section 6A-8.60(2), Regulations of the Department of Education, State of Florida.

Robert Hoffman	10/14/70	Peter Mazzoli	11-14-70
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE

Revised October 15, 1970

TITLE	NUMBER	PAGE
DISTRIBUTION OF LITERATURE	4160	1 of 3
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

I. PURPOSE:

To define the process by which literature may be distributed at Miami-Dade Community College.

II. PROCEDURE:

COMMERCIAL ADVERTISING AND COMMERCIAL SALES

A. Miami-Dade Community College will restrict the placement of commercial advertising on the campuses in areas other than the bookstore. Such advertising not through the bookstore will be restricted to the campus newspapers, special student publications, or specified areas on the campus. An information copy of the commercial advertising must be delivered to the Student Activities Office at least 24 hours before the posting.

B. Commercial sales sponsored by recognized student organizations to raise money for the needs of the organization will be permitted after appropriate registration at the Student Activities Office.

C. Commercial sales by non-student groups will be permitted if the sale enhances the goals and objectives of a sponsored campus program. Such type of sales may be arts and crafts sales when outsiders are invited to the campus to display their wares and will be able to sell them.

D. Commercial newspapers and magazines may be sold from vending racks provided by the distributors of the literature. These vending racks will be located in approved locations on each campus.

E. If the commercial sale of materials on the campus causes a disruption of the College, or the vendor distributing them is violating College/campus policy, they will be ordered to stop and to leave the campus. If needed, law enforcement officials will be requested to assist College officials in this process. If the distribution is stopped, this decision may be appealed through appropriate administrative channels.

TITLE	NUMBER	PAGE
DISTRIBUTION OF LITERATURE	4160	2 of 3
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

DISTRIBUTION OF NON-COMMERCIAL LITERATURE, POSTERS, BANNERS, ETC.

Miami-Dade Community College will regulate the distribution of non-commercial literature, posters, handbills, banners, etc., on the campuses. It is the intent of the College by the use of this policy within the limits f public laws and the philosophy of the College, to provide for the exchange of written thoughts and ideas in an orderly fashion and without disruption to the College.

A. Distribution of Literature and Handbills:

1. An information copy of the materials intended to be disseminated must be delivered to the Student Activities Office. A copy of the literature to be distributed will be stamped with a "registered for distribution" stamp and maintained in the Student Activities Office. One stamped copy will be provided to each person disseminating materials on the campus as evidence that the persons requesting distribution have provided an information copy to the College, and that they have authorization to distribute the literature cn campus. A copy of the policy and procedures regulating the distribution of literature will be given to the person at that time.

2. Distribution requests must be made at least 24 hours before the literature distribution is to take place. In cases where a 24-hour delay will defeat the intended message of the materials, an exception may be approved by the Director of Student Activities. Exceptions from the advanced copy regulation are literature matters sold in the campus bookstores under the authority of Miami-Dade Community College, daily newspapers which are sold in approved locations on the campus, and publications which are sponsored under the official masthead of Miami-Dade community College.

3. Materials which are suspected of being obscene, libelous, slanderous, or incite persons so as to create a clear and present danger on the campus will be referred to local police authorities by the administration for action. The literature will not be approved for distribution until a legal ruling is received.

TITLE	NUMBER	PAGE
DISTRIBUTION OF LITERATURE	4160	3 of 3
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

4. Persons distributing literature must not harass people on the campus. If the actual distribution of materials on the campus causes a disruption of the campus or the persons distributing them are violating college/campus policy, they will be ordered to stop. If the distribution is stopped, this decision may be appealed through appropriate administrative channels.

5. Materials may be distributed from the following areas:

   a. Designated distribution areas.

   b. From a table in a designated area.

   c. By handouts to the public in non-academic areas of the campus.

6. Literature may not be distributed in the classrooms or through the campus mails. If the intended audience is the faculty or administration, access to appropriate mailboxes will be permitted after consulting with the administrative head of the area the mailboxes are located in.

7. Time of distribution will be during the normal operating hours of the College.

8. Any person who has the right to be on the campus has a right to distribute literature.

B. Posters and banners announcing on-campus and off-campus special events that are of interest to students, faculty, and staff may be displayed in designated areas on the campus and in size and quantities as approved by the Student Activities Office.

Robert McClure 7/21/77	Peter Masiko, Jr 7-22-77
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

TITLE	NUMBER	PAGE
STUDENTS DEEMED PSYCHOLOGICALLY UNFIT TO ATTEND MIAMI-DADE COMMUNITY COLLEGE	4392	1 of 2
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

I. PURPOSE:

To provide the institution with a procedure whereby students may be denied admission or dismissed who have been adjudged psychologically unfit to be enrolled at the institution.

II. PROCEDURE:

A. Students whose admissions documents state or suggest the possibility of being emotionally disturbed may be denied admittance to the College. In such cases, these students' records are referred to the Dean of Students who will consult with appropriate on-campus professionals, seek outside professional help if necessary, and make a recommendation to the Campus Vice President on the suitability of the person as a Miami-Dade student. The decision of the Campus Vice President in cases of admissions shall be final.

B. If, after enrollment at the College, a member of the professional staff believes that a student may be psychologically unfit to attend the institution, the faculty member should first consult with his department chairperson or immediate supervisor. During this conference, the professional and immediate supervisor must consider if the individual can benefit from the educational process at Miami-Dade or, even if the student might derive some benefit from our educational services, will the demands upon the College created by this person be so excessive as to interfere with the education of other students? If, after such consultation, it is decided that the student can benefit from educational services at Miami-Dade and does not make an excessive demand on the faculty or the College's resources, the student should be directed to whatever resources of the College exist to best serve the student's needs. This might include Learning Support Services, Campus Psychologist, Counseling Services, Testing Services, etc.

C. Students who have been admitted to Miami-Dade, but because of their actions on campus are suspected of being psychologically unfit to be a member of the student body, may be required to be examined by a licensed psychiatrist, psychologist or physician. This examination will be at the expense of the College and will be used to provide Miami-Dade Community College officials with medical and/or psychiatric or psychological information to assist them in determining the advisability of the student's continued enrollment. Each campus shall make prior arrangements with a licensed psychiatrist, psychologist, and/or physician to provide a medical and/or psychiatric or psychological evaluation for students who may be suspected of being psychologically unfit to be enrolled at the institution.

TITLE	NUMBER	PAGE
STUDENTS DEEMED PSYCHOLOGICALLY UNFIT TO ATTEND MIAMI-DADE COMMUNITY COLLEGE	4392	2 of 2
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

D. If, after a faculty-chairperson or immediate supervisor consultation, it is still suspected that the student cannot benefit from the educational processes of the College or would make excessive demands on the College's resources, the student must be brought to the attention of the Dean of Students. The referral should be accompanied by a written description of the behavior exhibited, or the lack of progress observed so as to assist the Dean in deciding upon a course of action. Students who fall into this category should have exhibited deep emotional disturbance of such a nature to cause them to be disruptive to the College atmosphere, and render them unable to function effectively as a student, or they should be identified as individuals who have disabilities related to intellectual malfunctioning which causes them to be unable to learn.

E. The Dean of Students, depending upon the severity of the present situation, may either (1) immediately dismiss the student from the institution, or (2) may allow the student to proceed until such time as a more detailed evaluation can be rendered by on-campus professional personnel or upon the receipt of a psychiatric/psychological or medical report from a licensed professional outside of Miami-Dade. In such cases as (1) above, the College will provide for a full hearing of the facts within five school days of the immediate dismissal of the student. This hearing will constitute all components of due process and will involve all of the campus principals associated with the dismissal action. Based on reports required in (2) above, the Dean of Students will take action on the student's enrollment. If the student wishes to appeal the action of the Dean of Students, this would be done through the Campus Vice President's Office.

F. When students are refused admittance, or are dismissed from the College, they should be advised by letter from the Dean of Students as to conditions and/or date when they may re-apply.

G. Admissions and Registrars' offices on all campuses will be informed of the decision so that a hold on the admissions and registration can occur.

Robert Cohe 7/21/77	Peter Masiko, Jr 7-22-77
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

TITLE	NUMBER	PAGE
DESTRUCTION OF RECORDS IN THE DEANS OF STUDENT SERVICES OFFICES AT MIAMI-DADE COMMUNITY COLLEGE	4043	1 of 2
BASED ON POLICY NUMBER AND TITLE	**DATE**	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

I. PURPOSE:

To provide for the routine destruction of general correspondence, disciplinary and other confidential records in the Student Deans' offices at Miami-Dade - Community College. (Academic records and discipline records are maintained in separate files at the College.)

II. PROCEDURE:

A. General correspondence and routine materials that are stored may be destroyed at the end of the fifth year.

B. Discipline records that pertain to specific discipline cases adjudicated by the Campus Disciplinary Committees should be routinely destroyed on the following schedule:

1. Case files of students accused of infractions of the Student Code of Conduct, but are adjudicated innocent of the charges, should be destroyed immediately after the not guilty finding.

2. Case files of students adjudicated guilty of violations of the Student Code of Conduct should be routinely destroyed five years from the date of adjudication.

3. Case files of students adjudicated guilty of violations of the Student Code of Conduct and are dismissed from the College should be maintained permanently.

4. At any time a student may petition in writing the Student Dean to have a disciplinary record expunged. The decision of the Student Dean is final.

C. Confidential Records other than discipline case files should be maintained for a period of ten years. Confidential records may include but are not limited to such items as psychological or evaluative information records, health records and other records of a private or personal nature involving the relationship of a student with the College.

TITLE	NUMBER	PAGE
DESTRUCTION OF RECORDS IN THE DEANS OF STUDENT SERVICES OFFICES AT MIAMI-DADE COMMUNITY COLLEGE	4043	2 of 2
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

D. Students who leave the College before a hearing is scheduled will have a hold placed on their registration in the event they return, and their disciplinary records will be maintained for five years.

Robert H. McCabe	7/21/77	Peter Masiko Jr.	7-22-77
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE

APPENDIX L

MANUAL OF PROCEDURES

TITLE	NUMBER	PAGE
SPECIAL ADMISSION DECISIONS	1144	1 of 1
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

I. PURPOSE:

To set out the process for making decisions regarding the admissibility of certain types of students to Miami-Dade Community College.

II. PROCEDURE:

A. If, on a student's application for admission, there are unusual circumstances regarding an individual's background, this application should be referred to the Dean of Students' office for recommendation. The Dean of Students can refer the application to any members of the professional staff within the institution, or seek additional outside consultation in reaching a decision.

B. When the Dean reaches a decision, this is to be sent in the form of a recommendation to the Campus Vice President regarding the question of the final approval or disapproval for admission to the College.

C. The decision regarding the application is to be conveyed to the student by a letter from the Campus Vice President (or designee). Persons whose applications are denied will be advised in this letter of the conditions and/or future date for reapplying.

D. Admissions offices on all campuses will be informed of the decision so that a hold on the admissions and registration can occur.

Robert Cole	7/21/77	Peter Masiko, Jr.	7-22-77
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE

TITLE	NUMBER	PAGE
RECOGNITION OF RELIGIOUSLY-ORIENTED ORGANIZATIONS	4610	1 of 1
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

I. PURPOSE:

To delineate the College's position regarding the role and function of religiously-oriented organizations.

II. PROCEDURE:

A. All recognized student clubs and organizations must have a Miami-Dade Community College faculty member as the official advisor of record. The Students' Rights and Responsibilities indicates that if students are unable to obtain a faculty advisor, then the College will assign one to them until such time as they can secure their own.

B. The College recognizes the contributions made by individuals outside of Miami-Dade in working with various student organizations, particularly of a religious nature. In appreciating and acknowledging the benefit of having responsible citizens outside of the professional staff of Miami-Dade advising and working with student organizations, the College will attempt to provide any courtesies that it is able to extend to these individuals. These courtesies could include reserving meeting rooms, advertising events, and general coordination through the Student Activities Office, all depending upon the available facilities at the campus level. However, individuals working in this capacity will not receive treatment any different than is provided to other recognized student organizations.

C. Religiously-oriented activities will only be expressed through a recognized student organization. This limitation precludes the establishment of denominational programs, except through a student club. The association the College will maintain with any religiously-oriented group is through programming of activities that are directly related to the function and purpose of the student club or organization.

Robert H McCabe 7/21/77	Peter Masiko, Jr 7-22-77
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

TITLE	NUMBER	PAGE
STUDENT APPEAL OF GRADES	8301	1 of 3
BASED ON POLICY NUMBER AND TITLE	DATE	
VIII-31: GRADING PRACTICES	October 1, 1976	

I. PURPOSE:

To establish an orderly process for student appeal of the grade assigned in a course in cases where the student challenges the equity of the grade.

II. INTRODUCTION:

The responsibility for academic evaluation and the assignment of grades is that of the faculty member who has been assigned responsibility for a course. When any student believes that there has been unfair evaluation, an avenue of appeal must be provided. The Student Bill of Rights guarantees that students will have protection through orderly procedures against unfair academic evaluation. The basic position of the College is that decisions by any individual are subject to review. This procedure for appeal of grades is consistent with that position. It is set forth so that both students and faculty will be aware of the processes that are to be followed when a grade is challenged.

III. PROCEDURE:

A. Specifying the Grading and Evaluation Process

1. At the outset of the course the faculty member has the responsibility to make clear to students the grading and evaluation process that will be employed.

2. If the student is unclear concerning any portion of the stated evaluation and grading process, it is the responsibility of the student to seek further clarification at that time.

3. Should any misunderstanding or disagreement arise regarding grades assigned in any portion of the work the student should seek clarification with the instructor at once rather than waiting for the end of the term and the final grade.

4. In cases where a student believes special circumstances have resulted in his/her being penalized by the application of College regulations, the student should file an appeal for change of grade through the Petitions Committee (see Procedure #4480). The Campus Petitions Committee deals with technical problems, errors, interpretation of policy, and cases involving grades assigned by former faculty members. This committee deals with exceptions to financial, academic, and graduation policies as stated in the College catalog. The committee is only authorized to consider grade changes of F, D, or I to a W when extenuating circumstances existed and prohibited the student from withdrawing from the course by the appropriate deadline.

TITLE	NUMBER	PAGE
STUDENT APPEAL OF GRADES	8301	2 of 3
BASED ON POLICY NUMBER AND TITLE	DATE	
VIII-31: GRADING PRACTICES	August 6, 1976	

B. Appeal Process

1. When a student believes that he/she has been unfairly graded, the first step is to appeal the grade to the responsible faculty member. If satisfaction is not received, the student may appeal to the administrator to whom that faculty member reports. Any appeal must be filed by the end of the next major term following the assignment of the grade.

2. The administrator to whom the student has appealed should solicit information from the faculty member prior to making a recommendation. If after discussing the student's appeal the administrator believes that the grade should be changed, this recommendation will be made by the administrator to the faculty member. If the faculty member still believes that the grade should stand, the decision will be referred to the Grade Review Committee, and the student so notified.

3. If, after reviewing the facts, the administrator agrees that the appropriate grade had been assigned by the faculty member, the student would be so notified in writing. The student would retain for fifteen (15) days the right to appeal to the Grade Review Committee. The Grade Review Committee will make the final decision on behalf of the College.

C. Composition of the Grade Review Committees

As each campus is structured differently, the procedure allows differences in the structure and operation of the campus appeals committee within established parameters.

Each campus will have a Grade Review Committee which will make final decisions concerning grade changes on behalf of the College. The committee will be comprised of three members selected by the Faculty Senate, two administrators or other personnel appointed by the campus vice president, and two students selected by a process determined by the campus vice president.

The committee will establish a formal procedure for operations, and file that procedure with the President so that it may become part of College manuals. The committee may wish to hear each of the cases itself, or to

appoint ad hoc committees to hear each of the cases, or to appoint sub-committees to hear cases on a categorical basis. In all cases, the committees that hear cases, whether they be ad hoc, full committee, or sub-committee, must include faculty, administrators, and students.

The procedure developed by the committee must include the maintenance of full records on such hearings, and the results, including all records, are to be maintained in the Office of the Campus Vice President.

[illegible] 7/31/76	Peter Masiko, Jr 8-2-76
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

MANUAL OF PROCEDURES

REPLACES NUMBER	TITLE	NUMBER	PAGE
	HANDLING OF STUDENT PETITIONS	4480	1 of 1
DATED	BASED ON POLICY NUMBER AND TITLE	DATE	
	IV-5: STANDARDS OF CONDUCT AND ADMINISTRATION OF DISCIPLINE	Sept. 15, 1969	

I. PURPOSE:

To expedite redress for students who submit petitions for exceptional treatment.

II. PROCEDURE:

A. When students have been penalized by the application of college regulations without consideration of exceptional circumstances, they may request redress in writing from the Petitions Committee.

B. The chairman of the Petitions Committee screens such petitions and refers those which are thoroughly documented and can be handled through simple mechanics to the Dean of Student Personnel Services. If the Dean or an assistant Dean concurs that the request need not go to the Petitions Committee for deliberation, the proper college official is instructed to implement the request.

C. When a request for exceptional treatment is submitted to the Dean's office and is deemed to require group deliberation the student is instructed to submit a written petition, with reason and necessary documentation, to the Petitions Committee for consideration and action.

EXECUTIVE RESPONSIBLE FOR PROCEDURE	DATE	EXECUTIVE VICE PRESIDENT'S APPROVAL	DATE
1.		3. J. Wm. McCoy	11-18-69
HEAD OF AREA APPROVAL & TITLE	DATE	PRESIDENT'S APPROVAL	DATE
2. M. H. Hansen	11-13-69	4.	11-20-69

TITLE	NUMBER	PAGE
RELEASE OF STUDENT INFORMATION	4042	1 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-1: ADMISSIONS AND REGISTRATION	January 24, 1975	

I. PURPOSE:

To establish procedures for the accessibility and release of applicant and enrolled student information.

II. PROCEDURE:

A. Custodians of Student Records

The following officials of the College are designated as custodians of the various types of applicant and enrolled student records and are authorized to release such records in accordance with the following procedure:

1. Identifying Information

a. Academic - The Registrar of the campus the student is attending or last attended is the custodian of all records that have identifying information about students.

b. Applicants - The Campus Admissions Officer of the campus the student will attend is the custodian of all applicants' records that have identifying information about the students.

2. Limited Access Records

a. Applicants - The Admissions Officer of the campus the student will attend is the custodian of all academic and related records prior to actual enrollment of the student.

b. Academic - The Registrar of the campus the student is attending or last attended is the custodian of all permanent academic records.

c. Counseling - The Campus Chairman of Counseling is the custodian of the personal counseling records.

d. Disciplinary - The Campus Dean of Student Services is the custodian of all disciplinary records.

e. Financial - The College Comptroller is the custodian of all finance records. These include all records of fees assessed by and collected by the College for each student.

f. Financial Aid - The Campus Director of Financial Aid is the custodian of all records pertaining to applications for and awards of financial aid to students.

g. Health - The Campus Nurse is the custodian of the health records.

h. Placement - The Campus Placement Officer is the custodian of placement records.

i. Testing - The Campus Director of Testing is the custodian of all test data.

B. Disclosure of Student Information

The College will release information about students as follows:

1. To the student, parent, or guardian of the student, or to anyone authorized in writing by the student (regardless of the student's age).

   a. The student, parent, guardian, or designee, has the right to inspect all records pertaining to the student at the College and to have these records explained provided he or she presents proper identification.

   b. An unofficial copy of the student's transcript of the academic record will be released at no charge upon request provided the student has no outstanding obligation to the College.

   c. Official copies of the student's academic transcript will be mailed to anyone designated by the student provided the student has no obligation to the College. Documents supporting the application for admission or for transfer credit will not normally be returned to the student, nor sent elsewhere at the student's request. For example, a transcript from another college, or a high school record, will not be sent to a third institution. The student must request another transcript from the original institution. In hardship cases where original documents are extremely difficult or impossible to obtain, the registrar may release originals or copies of originals to the student.

d. Transfer forms to other educational institutions or requests for references delivered to the College by the student or authorized by the student will be completed by the Student Services Area.

2. To Faculty and Administrative Staff of the College

Appropriate student records will be made available to faculty or staff of the College who can demonstrate to the custodian of the record a need for the information.

3. To the General Public and Private Agencies

The following identifying information will be released upon written request by completing an appropriate form:

a. Name
b. Address
c. Dates of Attendance
d. Degree received, date of degree, if graduated with honors
e. If the student is currently enrolled
f. If employed as a student assistant; dates of employment

In the case of emergencies, an appropriate College official will attempt to notify the student and deliver an emergency message to the student. Other records not mentioned above will be made available upon presentation of a subpoena from a court of competent jurisdiction. This information will not be released over the telephone.

4. To Government Agencies

Information to government agencies without written permission of the student or court order is restricted to the same information given out to the general public and private agencies.

5. To Other Accredited Educational Institutions

The Campus Registrar may release official student transcripts and identifying information upon request to other accredited educational institutions to facilitate the student's acceptance to another institution, to expedite acceptance by other institutions of credits earned

TITLE	NUMBER	PAGE
RELEASE OF STUDENT INFORMATION	4042	4 of 4
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-1: ADMISSIONS AND REGISTRATION	January 24, 1975	

at Miami-Dade Community College, and to assist in follow-up research studies at other institutions.

C. Release of Lists or Computer Tapes of Students

Lists or computer tapes of student information may only be released to outside government agencies or educational institutions with the approval of the President or his designee.

D. Right to Copy Information

The student, the designees of the student, or anyone who has a right to inspect a particular record of a student has a right to have a copy of that record. In keeping with legal requirements concerning access of records, when requests are made to the College by the general public and private agencies for making of copies, it will be the policy of the College to make a charge of $2.00 per page.

E. Retention of Requests for Release of Information

Requests for release of student records which the student has not authorized to be released will be retained by the custodian of the record.

Robert H. McCabe 12/5/74	Peter Marshall Jr 12/3/74
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

MIAMI-DADE JUNIOR COLLEGE

APPENDIX Q

MANUAL OF PROCEDURES

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REPLACES NUMBER	TITLE	NUMBER	PAGE
	STUDENT ORGANIZATIONS	4606	1 of 2
DATED	BASED ON POLICY NUMBER AND TITLE	DATE	
	IV-3: STUDENT ORGANIZATIONS	September 15, 1969	

I. PURPOSE:

To provide for the formation and recognition of student organizations.

II. PROCEDURE:

A. The Campus Director of Student Activities is responsible for the conduct and administration of student organizations. Guidelines are established to which an organization must conform in order to achieve campus recognition. There can be no restrictions because of race, color, or creed. Religious organizations may have non-voting members of another religious group in their organizations if they desire.

B. North Campus

1. A new organization submits to the office of the Director of Student Activities an application, proposed constitution, a roster of at least 15 full time students and officers and a statement of acceptance of College policies.

   a. The application states the proposed name, purpose, name of advisor, type of organization and affiliation with other organizations if applicable.

2. Social organizations require approval of the Council of Fraternal Organizations. Non-social organizations require the approval of the Inter-Organizational Council.

3. The appropriate Council reviews the petition and submits its recommendation to the chairman of Student Activities and Budget Committee for review and approval after which the Dean of Student Personnel Services reviews the request. If the Dean deems it necessary the Campus vice president will also review the request.

4. If the appropriate Council rejects an application, it must send a written report to the chairman of the Student Activities and Budget Committee specifying the reasons. The organization whose petition has been rejected may appeal directly to the Student Activities and Budget Committee.

5. Once an organization has been approved, it may be fully active. Advisors are informed of their responsibilities, officers signify their intentions to function for a particular term.

REPLACES NUMBER	TITLE STUDENT ORGANIZATIONS	NUMBER 4606	PAGE 2 of 2
DATED	BASED ON POLICY NUMBER AND TITLE IV-3: STUDENT ORGANIZATIONS	DATE September 15, 1969	

6. Student Activities assigns the new organization a mail box in the Student Center and the organization may request the use of College facilities when necessary.

C. South Campus

1. A newly formed organization petitions the Student Board of Review for a charter, including a statement of acceptance of college policies.

2. The Student Board of Review consisting of three members of the Inter-Organizational Council and four representatives from the student body at large, all appointed by the President of the Student Government Association and with an advisor from the Student Activities Staff appointed by the Dean of Student Affairs reviews the proposed charter.

3. If the proposed constitution is found to be unsatisfactory, the petitioning group is notified in writing of the deficiencies and is given 10 school days in which to make appropriate revisions and request a second hearing.

4. When proposed charters are determined to be satisfactory, the affirmative recommendation is forwarded to the Campus vice president for approval.

5. The vice president will advise the Director of Student Activities to grant official recognition and all ensuing privileges of official organizations within 10 school days.

6. When a petitioning group has been denied approval, they may by submitting a sufficiently supported request be granted an appeal to the Charter Appeals Committee.

7. Charters that have been approved by the Charter Appeals Committee are sent to the campus vice president who must render a decision within 10 school days after receipt.

8. Organizations whose charter has been denied by the Student Board of Review and the Charter Appeals Committee have no further recourse.

EXECUTIVE RESPONSIBLE FOR PROCEDURE	DATE	EXECUTIVE VICE PRESIDENT'S APPROVAL	DATE
1. Clinton Cowgill	11-11-69	3. John Cole	11-18-69
HEAD OF AREA APPROVAL & TITLE	DATE	PRESIDENT'S APPROVAL	DATE
2. John L. Fowler	11-13-69	4. [illegible]	11-20-69

TITLE	STUDENTS' RIGHTS AND RESPONSIBILITIES	NUMBER IV-5
LEGAL AUTHORITY	STATE BOARD OF EDUCATION RULES AND MINUTES OF THE DISTRICT BOARD OF TRUSTEES' MEETINGS	PAGE 1 of 10

DISTRICT BOARD OF TRUSTEES APPROVAL 7/20/77
DATE

PREAMBLE

Miami-Dade Community College exists for the open interchange of knowledge and philosophies, the development of a capacity for critical judgment, and the creation of an atmosphere conducive to the independent search for truth and to the gaining of practical experience in our community. Free inquiry and free expression are indispensable to the attainment of these goals. This institution has a responsibility to develop policies which encourage the broadest possible participation of the college community. Procedures for the implementation of policies may vary from campus to campus.

The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

The purpose of the Students' Rights and Responsibilities document is to enumerate the essential provisions for student freedom and for students to understand how they can participate responsibly in the College community.

I. FREEDOM OF ACCESS TO HIGHER EDUCATION

Within the limits of its resources and facilities, Miami-Dade Community College is open to all persons who are qualified according to its admission and good standing requirements. Admission to college credit study is open to all high school graduates, transfer students, persons with state-issued high school equivalency certificates or diplomas, persons eighteen years of age or older, and other special categories. A record of good conduct and citizenship is required, as well as official transcripts of previously completed educational work, and related documentation necessary to complete an application for admission. Under no circumstances will a U.S. citizen, or resident alien, be barred from admission to Miami-Dade Community College on the basis of sex, race, creed, national origin, or physical limitations.

The College's financial aid programs include grants, loans, and employment so that no qualified student will be denied an education at Miami-Dade because of lack of funds. Additionally, no individual will, on the basis of sex, race, creed, national origin, or physical limitations, be excluded from participation in or be denied the benefit

of or be subjected to discrimination under financial aid programs.

A. Admissions

In unusual circumstances (i.e. criminal record, severe learning disabilities, falsifying admissions records, psychological problems), students may be denied admission to Miami-Dade Community College. When questions of admissibility arise, the individual's application is reviewed by the Dean of Students' office, and a recommendation is made to the Campus Vice President, who has the responsibilit for rendering the final decision. (Procedure 1144)

B. Psychologically Unfit Students

Students whose admissions documents state or suggest the possibility of being emotionally disturbed or students who have been admitted to Miami-Dade, but because of their action on campus are suspected of being psychologically unfit to be a member of the student body, may be denied admission or further enrollment at the institution. The process by which the College would make such decision involves a carefully prescribed and comprehensive examination of all issues associated with the student's behavior patterns. This would include consultation with a number of professional members of the staff at the College as well as a medical or psychiatric evaluation by an outside consultant if deemed necessary. The step-by-step evaluation of students who are unlikely to profit from attendance and enrollment in Miami-Dade Community College is described in Procedure 4392.

II. EVALUATION CRITERIA

A. Academic

The professor in the classroom and in conference will encourage free discussion, inquiry and expression where relevant and appropriate to the educational objectives of the course. It is the responsibility of the College to publish its educational objectives and to make available

the criteria it shall use in evaluating student success in all programs. It is the responsibility of students to avail themselves of a knowledge of these objectives and criteria as published and set forth by Miami-Dade Community College. The professor will not grade the student on opinions expressed or on outside-of-class behavior, unless such evaluation is specifically related to course requirements.

B. Protection of Freedom of Expression

Students will be free to state reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but are responsible for learning the substance of any course of study for which they are enrolled.

C. Protection Against Improper Academic Evaluation

Students will have protection through orderly procedures against unfair academic evaluation. A student's grade will be based solely on academic achievement, unless otherwise specified by the professor in writing at the first class meeting. Students may appeal grades received by following the Grade Appeals process described in Procedure 8301.

D. Protection Against Improper Disclosure

Information about student views, beliefs and political associations which professors acquire in the course of their work as instructors, advisors, and counselors should be considered confidential. Protection of the student against improper disclosure is a serious obligation incurred by the teaching profession. With regard to official documents (items which go out of Registrars' and Deans' offices), all judgments of ability and character given by the college are subject to examination by the student if requested.

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E. Utilization of Lectures for Study

Students may, with permission of the instructor, be permitted to record classroom lectures by any audio-visual or graphic means to be utilized as reference material and not to be utilized verbatim for personal gain.

F. Academic Dishonesty

Students are expected to conduct their academic affairs in a forthright and honest manner. In the event that students are suspected of classroom cheating, plagiarism or otherwise misrepresenting their work, they will be subject to procedural due process in formal hearings conducted by faculty, and involving peer evaluation as well. Each academic area and/or campus will develop and publish procedures to deal with academic dishonesty. Results of such hearings may lead to disciplinary action as recommended to Campus Vice Presidents.

G. Right of Petition

When students have been penalized by the application of college regulations without consideration of exceptional circumstances, they may request redress in writing from the Petitions Committee. Students who feel that financial, academic and graduation policies of the College have been unfairly administered are entitled to access to the Petitions Committee. The petitions process is described in Procedure 4480.

III. STUDENT RECORDS

Miami-Dade Community College will have a clearly stated procedure available in campus publications concerning the manner in which a student's permanent educational record is handled and disclosed. (Procedure 4042) The College will abide by federal and state regulations regarding the privacy of student records and comply with the law regarding access procedures. To further minimize the risk of improper disclosure, academic and disciplinary records will be separate, and the conditions of access to each will be set forth in explicit statements. (Procedure 4042 and 4043)

Transcripts of academic records will contain only information about academic status. Information from disciplinary or counseling files will not be available to unauthorized persons on campus or to any person off campus without the express written consent of the student involved, except under legal compulsion or in cases where the safety of persons or property is involved. No records will be kept which reflect the political activities or beliefs of students. Provision will be made for periodic routine destruction of non-current disciplinary records. (Procedure 4043) Administrative staff and faculty members will respect confidential information about students which they acquire in the course of their work.

IV. STUDENT AFFAIRS

In student affairs certain standards must be maintained if the freedom of students is to be preserved.

A. Freedom of Association

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They will be free to organize and join associations to promote their common interests, as long as they do not disrupt the College, or violate its rules and regulations.

1. Campuses will establish procedures for the recognition of student organizations. (Policy IV-3 and Procedure 4606) After institutional recognition is granted, the membership roster will be destroyed each year upon request of the organization (these rosters will be available only to Directors of Student Activities). Organizations which participate in intramural athletics, or those organizations whose members desire that their membership be a matter of record, shall keep membership lists on file.

   The membership, policies and actions of a student organization will be determined by vote of only those persons who hold current bona fide membership in the Miami-Dade Community College community.

2. Advisors are required for recognized student organizations, but each organization will be free to choose its own advisor from the faculty. If an organization is unable to secure an advisor, the appropriate organizational council and/or student

personnel staff will act as interim advisor until such time as a permanent advisor can be secured. The organization, however, must secure an advisor within the period of time currently required by the student organizational council's regulations. Campus advisors may advise organizations in the exercise of responsibility, but they will not have the authority to control the policy of such organizations, where the policy is not in violation of College or organizational council's policies.

3. Campus organizations, including those affiliated with an extramural organization, will be open to all students without respect to sex, race, creed, national origin, or physical limitations, except for religious qualifications which may be required by organizations whose aims are primarily sectarian. The role, function and recognition of religious-oriented organizations is described in Procedure 4610.

B. Freedom of Inquiry and Expression

Students and student organizations will be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They will always be free to support causes by orderly means which do not disrupt the operation of the institution.

C. Uses of Facilities

Provided they are used in a manner appropriate to the academic community and in compliance with college procedures, the facilities and services of the College will be open to all of its enrolled students. The Office of Student Activities maintains procedures for use of Miami-Dade facilities.

D. Visiting Speakers

The education of students can never be limited to what takes place in a classroom. It is necessary for them, from time to time, to have the privilege of availing themselves of the stimulation that visiting speakers can afford. It is the students' right to petition the administration in order to invite outside speakers to the campus. Those procedures required by the administration before a guest speaker is allowed to appear on campus

will be designed to insure that there are orderly scheduling facilities and adequate preparation for the event and that the occasion is conducted in an orderly manner, appropriate to the academic community. (Procedure 4150) The institutional control of campus facilities will not be used as a device of censorship. In cases involving a reasonable prediction of disruptions on the campus, because of the controversial nature of a speaker or his/her subject, or both, an invitation may be withheld. It is the responsibility of the students who invite outside speakers to make it clear to the academic and larger communities that all views expressed are not necessarily those of the students, faculty, or administration of Miami-Dade Community College.

E. Grievance Procedure for Alleged Discrimination Practices

Students who believe they have been discriminated against may avail themselves of a grievance procedure. This would apply in all matters, with the exception of grades, where there exists a separate mechanism for the appeal of grades (Procedure 8201). Students who feel that they have been discriminated against or treated in some unfair manner have available a formal grievance process of which they may avail themselves. (Policy IV-6)

F. Student Participation in College Policies

As constituents of the academic community, students will be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The means by which students participate in the formulation and application of institutional policy affecting academic and student affairs will be clearly defined by each campus.

G. Student Publications

Student publications and the student press constitute one of the strongest means of encouraging an atmosphere of responsible discussion and intellectual exploration on the campus of Miami-Dade Community College. It is, therefore, necessary for the College to grant such freedom in editorial policies and in selection of news as will be consistent with its educational

aims. Insofar as it dedicates itself to responsible inquiry and becomes an outlet for responsible student opinions, the student press will be free of censorship and pressure from the administration, faculty, student government, or student groups.

At the same time, this freedom entails corollary responsibilities to be governed by the general canons of responsible journalism in the United States, such as accurate, equal and fair reporting of the news, the avoidance of libel, indecency, undocumented allegations and attacks on personal integrity.

The College administration, in conjunction with both students and faculty, shall provide written clarification of the role of student publications and the standards of journalism to be maintained. (Available in the office of the campus newspaper advisor.)

Responsible student journalists, dedicated to the ideals of free and independent inquiry, must be protected from either suspension or dismissal because of student, faculty, administrative, or public disapproval of editorial opinions expressed, if the above limitations are observed.

Only for proper and stated causes will editors be subject to removal and then by orderly and prescribed procedures. However, it is understood that all student publications will explicitly state on the editorial page that the views expressed are not necessarily those of the administration, faculty, or student body as a whole. (Policy IV-90)

H. Distribution of Literature

It is the intent of the college to provide for the exchange of written thoughts and ideas in an orderly fashion and without disruption to the College. Miami-Dade makes the distinction between commercial and noncommercial literature, posters, handbills, and banners and will set out regulations to allow for distribution of literature. All such regulations will comply fully with existing public laws regarding the dissemination of literature. (Procedure 4160)

TITLE	STUDENTS' RIGHTS AND RESPONSIBILITIES	NUMBER IV-5
LEGAL AUTHORITY	STATE BOARD OF EDUCATION RULES AND MINUTES OF THE DISTRICT BOARD OF TRUSTEES' MEETINGS	PAGE 9 of 10

V. OFF-CAMPUS FREEDOM OF STUDENTS

A. Exercise of Rights of Citizenship

Miami-Dade Community College students are both citizens and members of the campus community. As citizens, students will enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are subject to the responsibilities inherent in this membership.

B. Institutional Authority and Civil Penalties

Activities of students may, upon occasion, result in violation, or charges of violation, of law. Students in the above categories may incur penalties prescribed by civil authorities. Only where Miami-Dade Community College's interests are at stake will the College initiate disciplinary procedures against students who have been charged or convicted of violation of law. (Procedure 4070)

VI. DISCIPLINE

Disciplinary proceedings at Miami-Dade Community College play a role substantially secondary to example, counseling, guidance and admonition. It is recognized that educational institutions have the duty to protect their educational purposes through the reasonable regulation of student conduct and the use of the institution's facilities. The President of Miami-Dade Community College is responsible at all times for the maintenance of the orderly functioning of the College and will take whatever action may be necessary to prevent any interference with such orderly operation of the College. Due process and proper procedural safeguards will be observed to insure that students' rights are protected.

Each student, during the process of applying for admission to the College and, by the act of registering, agrees to abide by the rules and regulations of the College. Students are required to comply with the Student Code of Conduct. The Student Code of Conduct,

together with the jurisdictions of faculty, faculty-student, or student judicial bodies, the disciplinary responsibilities of institutional officials, and the regular disciplinary procedures, including the student's right to appeal a decision, will be clearly formulated and communicated in advance through such means as a student handbook and available in Procedures 4070 and 4071.

If the Miami-Dade Community College Disciplinary Procedures or the regulations listed under the Student Code of Conduct are altered by the College, and if these alterations or amendments are substantive, notice shall be provided in advance and ample opportunity to respond to proposed changes will exist. Whenever specific titles are used in these procedures, they shall include the appropriate designee of the person bearing these titles.

The President of Miami-Dade Community College delegates authority for the maintenance of the orderly functioning of each campus to the Campus Vice Presidents. The Campus Vice Presidents have charged the Student Deans with implementation of the student disciplinary procedures and maintenance of student discipline records.

Students are required to keep the College informed of their current mailing addresses. The College meets all notice requirements to students by sending notices to the last mailing address provided by the student.

VII. OPEN COLLEGE STUDENTS

Students who are enrolled at Miami-Dade exclusively in the Open College program will follow disciplinary procedures at the campus they designate as their home campus. In regard to questions of academic dishonesty, the Open College program will establish a procedure to deal with these questions, and recommendations from the Open College faculty will be transmitted to the Area Head for possible disciplinary sanctions.

Robert H McCabe 7/21/77	Peter Masiko, Jr. 7-22-77
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

TITLE	NUMBER	PAGE
STUDENT DISCIPLINARY PROCEDURES	4070	1 of 11
BASED ON POLICY NUMBER AND TITLE	DATE	
IV-5 - STUDENTS' RIGHTS AND RESPONSIBILITIES	August 1, 1977	

All alleged student violations of the Code of Conduct of the College are referred to the Office of the Student Dean. Any academic or administrative official, faculty member, law enforcement official or student may allege violations against any student.

INVESTIGATION

The Student Dean will insure that a full investigation of the possible violation is conducted. If the investigator questions the suspected student during the course of the investigation, the student shall be informed, before questioning, that he/she has the right to remain silent and that anything said may be used against him/her. The investigator may not coerce admissions of guilt from a suspected student or require the disclosure of information about the conduct of other suspected persons.

If the investigator believes that the facts of the case substantiate the allegations, the investigator will notify the student or make a reasonable attempt to notify the student in writing to appear at a specified time for a Preliminary Hearing. Notice of this Hearing will be given to the student or sent to the address last furnished by the student to the Registrar. If a student does not have an excused absence and does not appear at the Preliminary Hearing, the student may be charged without a Preliminary Hearing. If during an investigation interview the student freely admits guilt of the reported violation, the Preliminary Hearing may take place at that time and the student can be charged at its conclusion.

PRELIMINARY HEARING

At the Preliminary Hearing the investigator will explain to the student the elements of due process afforded him/her:

1. Inform the student of the alleged violation(s) of which the student is accused.

2. Advise the student of the right to remain silent and that anything the student says may be used against him/her.

3. Advise the student that he/she can make any statements or explanations.

4. At the conclusion of the Preliminary Hearing the investigator shall either: (1) advise the student that the matter is dismissed; or (2) advise the student that the College will charge him/her with violating the Code of Conduct.

If it is decided that the College will charge the student with violation(s) of a specific regulation(s) from the Code of Conduct, the investigator will personally present the student with the written charge(s) at the conclusion of the Preliminary Hearing.

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If the student does not appear at his/her Preliminary Hearing, the charges may be sent to the last local address provided the College by the student, or the investigator may present the charges to the student by personal delivery. The mailing of the charges may be verified by a certificate of mailing or by sending a registered letter.

FORMAL CHARGING

The Notice of Charge(s) should inform the student of:

1. The policy or regulation alleged to have been violated in sufficient detail to allow the student to prepare a defense.
2. The possibility of Expulsion, Suspension, or other disciplinary sanctions.
3. The right not to be compelled to testify against oneself.
4. The right to a hearing as established under these disciplinary procedures.
5. The right to examine the evidence and to cross-examine witnesses appearing and testifying against him/her and to offer witnesses and evidence in his/her behalf. Such evidence must be requested 48 hours before the hearing.
6. The right of an advisor of his/her choice, at his/her own expense, acting in an advisory capacity only. The name and address of the advisor shall be provided to the Student Dean's Office no later than 24 hours prior to a hearing. Only the charged student is allowed to speak at a College hearing.
7. The right to enter a plea of guilty or not guilty within three school days after the charging.
8. A plea of not guilty being entered and a hearing date being set by the Student Dean if the student fails to enter a plea within three school days.
9. The right to a closed hearing unless the student requests that it be open to the public.
10. The right to waive a hearing before a Campus Discipline Committee and have the Student Dean hear the case.

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PUBLIC COURT CASES

1. If a student is charged by public authorities with an act that is also a violation of a College policy or procedure, the College may charge the student after a Preliminary Hearing and stay its proceedings pending the outcome of the case. If the student cannot appear at the Preliminary Hearing, charges will be sent to the last local address provided to the College by the student. The verdict or finding in a court shall be used as a finding of fact for the violation of College policy.

2. A plea of guilty in the court by the charged student shall operate as a conclusive finding of guilty under these disciplinary proceedings even when adjudication of guilt is withheld. This is not true if the plea was entered to a charge based upon different facts than those needed to support charges pending at the College.

3. If a student is charged with an offense by public authorities and the offense is made the basis of charges under these disciplinary procedures, the finding in court will be the same finding used at the College, even if the student pleads guilty to a lesser charge.

4. If no verdict or finding is established in court, the College may proceed with the case according to these disciplinary procedures.

5. If the student is found guilty in court, the College will immediately notify the student to appear before the Student Dean for a penalty assessment.

PLEAS

Within three school days after a student receives Notice of Charge(s), the student shall deliver to the Student Dean's Office a plea of guilty or not guilty. The student may enter the plea by filling out the appropriate section on the Notice of Charge(s) and returning the Notice to the Student Dean's Office. If a student does not enter a plea within the prescribed three school days, the student shall be deemed to have pleaded not guilty. The following procedures shall apply for each of the available pleas:

1. Plea of guilty: If the student enters a plea of guilty, the penalty assessment phase shall proceed according to campus regulations.

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2. Plea of not guilty: If the student enters, or is deemed to have entered a plea of not guilty, he/she shall have a right to an administrative hearing or an appearance before the Campus Discipline Committee. The Hearing Officer shall set the time and place for the hearing. The hearing should be held within 14 calendar days of the entry of a not guilty plea. The Hearing Officer may, at his/her own discretion, extend the date of the hearing for exceptional circumstances. A student may waive his right to a Campus Discipline Committee hearing and have his case heard before a Student Dean.

PRELIMINARY MATTERS

The College shall provide a witness list and all documentary and physical evidence it may offer at the hearing if the student requests the above at least 48 hours prior to the hearing. This request by the student must be in writing and requires the presentation of the student's witness list and/or documentary and physical evidence. The College shall not be required to produce any evidence which will not be introduced at the hearing.

CAMPUS DISCIPLINE COMMITTEE

This Committee consists of at least a 12-member pool evenly divided between students and faculty or all students selected according to campus procedures.

Campus procedures will provide for membership of the committee, alternates, length of appointments, and the selection of the Hearing Officer who will preside over the hearing. The Hearing Officer is charged with the responsibility for maintaining proper decorum and order, and may exclude any person who, in the Hearing Officer's opinion, has no legitimate interest in the hearing or whose conduct impedes or threatens to impede a fair and orderly hearing.

Each Committee member shall have one vote. The Hearing Officer will vote only in the event of a tie vote.

If a student challenges a Committee member for cause because it is felt there may be a conflict of interest, the Hearing Officer shall have the right to make final judgment on the matter. The Hearing Officer shall have the right to excuse for cause any faculty or student member of the Committee at any time, either upon the Hearing Officer's own initiative or at the request of the College or the charged student. If a Committee member is dismissed after the hearing commences, the Hearing Officer shall declare the hearing a nullity and a new Committee will be selected and the process will start anew. The Hearing Officer shall attach in writing to the final record of the hearing the reasons for dismissing any member of the Committee.

COMMITTEE RESPONSIBILITIES

The Campus Disciplinary Committee will have the following responsibilities during a hearing for a case in which a plea of not guilty has been entered:

1. At the beginning of the hearing, to briefly explain to the student the manner in which the hearing will be conducted and to apprise the student of the consequences of giving false testimony.

2. To insure, to the extent possible, that all questions asked and information offered are relevant to the question of guilt or innocence in the fact-finding portion of the hearing, and, if the student is found guilty, that information of a mitigation plea nature is reserved for the penalty recommending portion of the hearing.

3. To insure that the accused student will have the right to examine evidence, to testify and to present evidence and witnesses. The student will have the right to hear and question all witnesses appearing and testifying against him/her.

4. To insure that no statements against the accused student are considered unless the student has been advised of their content and of the names of those who made them, and unless the student has been given the opportunity to rebut unfavorable inferences which might be drawn.

5. To insure that all relevant evidence is introduced before the Committee and that the decision of innocence or guilt will be based solely upon the evidence.

6. To insure that the rules of evidence as contained in these procedures are upheld during the course of the hearing.

7. To conduct the hearing in the following recommended manner and order:

   a. Introduction of participants
   b. Reading of the charge(s) by the Hearing Officer and advising the charged student of the possible penalties
   c. Student's response to charges
   d. Investigator's summary report of allegations
   e. Student's summary of defenses to allegations
   f. Introduction of College witnesses and/or exhibits with questions from panel, student charged, and investigator

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g. Introduction of student's witnesses and/or exhibits with questions from Committee, student charged and investigator
h. Questioning of investigator by charged student and Committee
i. Questioning of charged student by investigator and Committee
j. Closing statements by investigator and charged student.

8. At the conclusion of the fact-finding portion of the hearing, the hearing participants will be excused, and, in a closed session, a decision will be rendered on the guilt or innocence of the student by majority vote. If the accused student admits guilt during the fact-finding portion of the hearing, the Committee will immediately go into the penalty recommending portion of the hearing.

   If the majority determination cannot be made on the finding, the Hearing Officer shall declare a mistrial, and inform the Student Dean in writing of such action. The Student Dean shall appoint the alternate Hearing Officer and a panel of all new members who will hold a new hearing.

9. If there is a finding of guilt, the Committee will inform the student of the finding and instruct the student that the penalty recommendation portion of the procedures allows the student, prior to the determination of the penalty to be recommended, the right to present any mitigating circumstances or other factors that may affect the penalty. After hearing the extenuating circumstances or other factors from the student and the investigator, the Committee will, in closed session, render a recommendation as to a penalty.

10. The student is informed that the recommended disciplinary action will be forwarded to the Student Dean, who will render the penalty decision. The student is instructed to make an appointment within three school days to receive the decision.

11. To compile for the Student Dean's Office a complete file of the case to include both an abstract and a verbatim record, such as a tape recording of the hearing, all written statements and exhibits utilized in the proceedings, and the Committee's decisions and penalty recommendation. No record will be made of the closed deliberations of the Committee. For purpose of appeal, the student alone shall have access to the record of the hearing which must remain in the Student Dean's Office. The record of the hearing shall be available only until the period for filing a notice of appeal has expired, or until the verdict on appeal has been made.

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ADMINISTRATIVE HEARINGS

A student may elect to waive a hearing before a Campus Disciplinary Committee and have a hearing before a Student Dean. The same elements of due process as are applicable to Campus Discipline Committee hearings shall apply. If the Student Dean finds the accused student guilty, the penalty portion of the hearing will begin. Otherwise, at the conclusion of the hearing, the student is instructed to make an appointment with the Student Dean within three school days to receive a decision of guilt or innocence. If the student is found guilty, he/she shall have the right to appear before the Student Dean who is hearing the case to present any mitigating circumstances or other factors that may affect the penalty.

EFFECTIVE DATE OF PENALTIES

Unless the Student Dean who delivers the penalty specifically states otherwise, all penalties shall be effective as of the date of the commission of the offense, even though the student may have attended classes and/or taken examinations during the interim.

BURDEN OF PROOF

The College shall have the burden of proving the student's guilt by a preponderance of the evidence.

EVIDENCE AT HEARINGS

The Hearing Officer may exclude evidence that is deemed to be irrelevant, immaterial repetitious, incompetent, or untrustworthy in nature, and take other appropriate action to facilitate the orderly conduct of a fair hearing and a full and true disclosure of the facts.

HEARING IN ABSENTIA

If the student, after due notice, does not appear at the hearing, he can be tried in absentia. The College must meet the burden of proof before guilt can be found.

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HOLD ON RE-ENROLLMENT

If a student has been formally notified that he/she has an appointment for an investigatory meeting or if the student has been charged with a violation of College regulations as contained in the Code of Conduct and he/she fails to appear thereafter, either because of withdrawal from the College or for failure to complete the last term of enrollment, the Student Dean will place a hold on the student's future registration. This hold will prevent the student from re-enrolling at any of the Miami-Dade campuses. The College will notify the student in writing of this action, request that the student appear at the College to rectify the matter, and inform the student that he/she is not in good standing with the College.

CONFIDENTIALITY OF HEARINGS AND DELIBERATIONS

The proceedings of the Campus Discipline Committee shall be regarded as confidential and no record of the proceedings shall be kept other than that of the abstract and verbatim record which is retained by the Student Dean's Office. The deliberations of the Committee as to innocence or guilt or the recommended penalty are regarded as confidential and no other participants in the case shall be present during these deliberations. No record shall be made of the discussion or vote in these deliberations. Where a not guilty finding occurs, all records of the charges and proceedings shall be destroyed.

POSTPONEMENTS

The Campus Discipline Committee may postpone and/or recess a case if necessary and at the request of the Committee or other parties involved in the case.

PROCEDURES NOT SPECIFICALLY PROVIDED HEREIN

Additional procedures may be implemented by the Campus Discipline Committee provided that such additions are not precluded in these procedures and would serve to arrive at a full and true disclosure of facts.

TEMPORARY SUSPENSION

The Student Dean may temporarily suspend any student when: (1) the student is ordered by an administrator, officer or faculty member to cease and desist any activity which disrupts the orderly operation of the College; (2) the student persists in activity which is disruptive after receiving the warning and order, and the disruptive activity still constitutes a threat to the orderly operation of the campus; and (3) for reasons relating to the physical or emotional safety and well-being of the student, other students, faculty or college property. The Student Dean shall decide on evidence seen or reported that the activity disrupts the orderly operation of the College or is a clear and present danger or impinges upon or invades the rights of others in the College community.

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When a student is temporarily suspended as a result of a charge against him/her, he/she shall be entitled to petition the Campus Vice President for a hearing after two school days following the original order of suspension. Within three school days of receipt of the request, the Campus Vice President must hear the student. The jurisdiction of the Campus Vice President in temporary suspension is limited to the question of whether or not the suspension shall continue until a hearing is held on the merits of the case which caused the temporary suspension. If a hearing is not held within three school days as provided herein, the temporary suspension shall be automatically lifted, provided the delay is not caused by the student. In the case of a student who is temporarily suspended and subsequently found innocent, he/she shall be allowed to make up, without prejudice, any classwork or examinations missed because of suspension.

DISCIPLINARY SANCTIONS

1. Dismissal: mandatory separation from the College with no promise of future readmission. An application for readmission will not be considered until such time as specified in the order of dismissal has elapsed. Readmission is subject to the approval of the campus Vice President. A student who has been dismissed is barred from enrolling at, or visiting, any of the campuses of Miami-Dade Community College.

2. Suspension: mandatory separation from the College for a period of time as specified in the order of suspension. A student who has been suspended is barred from enrolling at, or visiting, any of the campuses of Miami-Dade Community College during the suspension. Students may re-enroll at the College when the suspension order has elapsed.

3. Temporary Suspension: action taken by the Student Dean which requires a student's temporary separation from the College. The Campus Vice President shall determine whether or not the suspension shall continue until a hearing is held on the merits of the case which caused the temporary suspension. A student on temporary suspension is barred from visiting privileges and class attendance at any of the campuses of Miami-Dade Community College.

4. Final Disciplinary Probation: a disciplinary sanction serving notice to a student that his/her behavior is in flagrant violation of the College standards under which the following conditions exist:

   a. The sanction is for the remainder of the student's attendance at the College.

   b. Another conviction of a violation of the College Code of Conduct will result in the imposition of the minimum sanction of suspension.

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5. Disciplinary Probation: a disciplinary sanction serving notice to a student that his/her behavior is in serious violation of College standards and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation.

   A time period is indicated for this probation. Students will be released from the Disciplinary Probation status after the specified time period has elapsed.

6. Disciplinary Censure: a disciplinary sanction serving notice to a student that his/her behavior has not met College standards. This sanction remains in effect for the duration of one complete term. Future violations of the College Code of Conduct, if occurring while Disciplinary Censure is in effect, could result in more serious disciplinary sanctions.

7. Restitution: reimbursement for damage to, or misappropriation of, property of the College or other persons. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages as directed by the Student Dean.

8. Restriction or Revocation of Privileges: temporary or permanent loss of privileges, including, but not limited to, the use of a particular College facility or parking privileges.

9. Other Appropriate Action: disciplinary action not specifically set out above but deemed proper and imposed by the Student Dean. These actions are deemed to be in support of more severe actions such as Dismissal, Suspension, Final Disciplinary Probation, Disciplinary Probation, and Disciplinary Censure.

DESTRUCTION OF DISCIPLINARY RECORDS

Discipline records of students are kept in a secure place by the Student Dean and will be routinely destroyed five years from the date of adjudication. At any time, a student may petition in writing to the Student Dean to have a disciplinary record expunged. The decision of the Student Dean is final. The procedures followed are in accordance with federal and state regulations pertaining to the destruction of records. (Procedures 4042 and 4043)

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APPEALS

A student found guilty of, or who pleads guilty to, an offense and has been sentenced by the Student Dean shall have the option to appeal on the basis of severity of penalty and/or a violation of the student's rights as contained in these procedures within three school days of the sentencing. All appeals will be taken before the campus Vice President or his/her designate.

Appeals must be made in writing and must contain a description of the specific errors upon which the appeal is based, or they must contain a statement that the penalty is too severe. Appeals in cases involving guilty pleas shall not place at issue any issue of fact or law previously settled by the guilty finding. Appeals in cases involving public court guilty pleas shall not place at issue any issues of fact or law ruled upon by the public court.

The Vice President will set a time and place for a hearing on the points raised by the appeal if a hearing is requested in the written appeal. After consideration of the facts presented by the student and the College, the Vice President shall issue a written determination either:

1. Affirming the action of the Campus Discipline Committee and/or the Student Dean.
2. Remanding the matter to a new Hearing Officer for a new hearing before a different Campus Discipline Committee, or
3. Reducing the penalty, or
4. Dismissing the charge(s) against the student.

FINAL APPEALS

Determinations by the Vice President or his/her designate are final and may not be further appealed.

ADMINISTRATION OF DISCIPLINE WHEN COMMITTEE IS NOT IN OPERATION

Whenever the Campus Discipline Committee is not in operation, such as during vacation or examination periods, and there is a not-guilty plea during that time, the case will be referred to the Student Dean's Office for adjudication.

ADMINISTRATION OF DISCIPLINE FOR ACADEMIC DISHONESTY

Charges of academic dishonesty will be handled by the academic area where the infraction occurred.

Robert H. McCabe 7/21/77	Peter Masiko, Jr. 7-22-77
EXECUTIVE VICE PRESIDENT DATE	PRESIDENT DATE

MANUAL OF PROCEDURES

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It is recognized that Miami-Dade Community College has the right to protect its educational purpose and its students from the irresponsible conduct of others. In order to insure this right, the College finds it necessary to set forth the following regulations which require student compliance for the welfare of the College community.

Students who are alleged to have violated one or more of the regulations stated in this Code of Conduct may be charged with the violation(s) in accordance with Miami-Dade Community College Disciplinary Procedures. The College may exercise its discretion and choose not to charge students with violations of this Code of Conduct in the event that viable alternatives to disciplinary action are appropriate

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1. Academic Dishonesty

   Cheating, plagiarism, and any other misrepresentation of work are prohibited. Charges of academic dishonesty will be handled by the academic area where the infraction occurred.

2. On Campus Activities and Events

   Use of College facilities is prohibited on any of the Miami-Dade campuses except in an area designated by the proper College authority and subject to any limitations and provisions established by an appropriate College official (i.e., outdoor concerts, student rallies, outside speakers).

   Promotion for any activity or event must be approved by the appropriate College official.

3. Alcoholic Beverages

   Alcoholic beverages are prohibited on the campuses of Miami-Dade Community College.

4. Arson

   No student shall commit, or aid in the intentional commission of, an act which results in a fire being ignited which causes damage, or is intended to cause damage, to the property of the College or to the property of any other person.

5. Assault and/or Battery

   No student shall threaten bodily harm or discomfort to another such as would constitute an assault. Nor shall any student commit, or aid in the intentional commission of, an act which causes bodily harm or discomfort to the person of another such as would constitute a battery.

6. Bad Checks

   Students shall not make and/or deliver any check to the College which is not supported by sufficient funds on deposit or is in any other way worthless.

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7. Complicity

A student present during the commission of an act by another student which constitutes a violation of College policy may also be charged if his/her subsequent behavior constitutes a permission or condonement of the violation. Students witnessing any act(s) which constitute(s) a violation of College policy are required to report such incidents to the proper authorities. Confidentiality of the identity of students reporting violations will be maintained as it is not the intent of the College to burden innocent witnesses.

8. Contracting or Representation in the Name of the College

Students are prohibited from contracting in the name of Miami-Dade Community College and may not claim to be official representatives of the College for any commercial purposes.

9. Damage or Destruction of Property

Accidental damage, vandalism, or malicious damage to property belonging to Miami-Dade Community College or to others may require restitution from persons responsible for such damage and/or disciplinary action.

10. Defamation, Threats, and Extortion

Verbal or written communication which unlawfully exposes any individual or group to hatred, contempt, or ridicule, and thereby injures the person, property, or reputation of another, is prohibited.

Verbal or written communication which threatens another of a crime or offense, or threatens injury to the person, property, or reputation of another, or maliciously threatens to expose another to disgrace, with the intent to extort money or other advantage whatsoever, is prohibited.

11. Disruption

Florida Statute 877.13 provides that disruption of the normal activities of the institution is prohibited. Disruption shall include, but not be limited to, the following:

Physical violence or abuse of any person or College-owned or controlled property, or at College-sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any person.

Deliberate interference with academic freedom and freedom of speech, including not only disruption of a class, but also interference with the freedom of any speaker invited by any section of the College community to express his/her views. (Faculty are authorized to have students removed from class if warranted.)

Forcible interference with the freedom of movement of any member or guest of the College.

Blocking of entryways to buildings, rooms, or sections of buildings, or of hallways, or stairways, in such fashion that people find it difficult or impossible to pass.

Blocking of vehicular traffic.

Noisemaking, or other physical behavior which is so distracting that it is difficult or impossible to conduct a class, a meeting, or any other authorized event.

Congregating in such a fashion as to create a situation which could endanger life or property.

Incitement to any of the above-mentioned actions, or to other violations of College policy which could result in such actions, whether orally or through written materials or pictures.

12. Standards of Dress

Students must comply with standards of dress established for safety or health reasons in specific classes.

13. Narcotics and Illegal Drugs

Manufacture, possession, having control over, sale, transmission, or use of any narcotic, stimulant or hallucinogenic drug in violation of the laws of Florida or the United States is prohibited. (S 239.582, Fla. Stat.)

The College cannot protect students from State and Federal drug abuse laws, and has the policy of full cooperation with law enforcement agencies.

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A student who is formally charged by a proper prosecuting attorney with drug violations, may, following an administrative hearing, be suspended until his/her case is adjudicated. If found guilty, the student shall be automatically expelled from the College and all other state-supported institutions of higher learning for a period of one year, subject to State Board of Education Rule 6A-14.56 Control and Discipline of Students, Community Colleges, Supp. No. 71.

14. Misuse of Emergency Equipment

Fire escapes, ground level fire doors, fire hoses, extinguishers, and alarm equipment are to be used only in emergencies. Tampering with, or misuse of, these emergency devices, or blocking of fire exits or other means of impeding traffic, is prohibited.

15. Unauthorized Use of College Facilities

The unauthorized use of, or entry into, any College facilities (i.e. classrooms, athletic fields), whether by force or not, is prohibited.

16. Interference with Academic Freedom and Freedom of Speech

Any act which restricts the professor's or another student's right to speak is prohibited. Any act which disrupts the orderly functioning of a class is prohibited.

17. Gambling

Gambling of any kind is prohibited on the campuses of Miami-Dade Community College.

18. Identification of Students

Students are required to present identification when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited.

19. Providing False Information

No student shall knowingly give false or perjured testimony in any College investigation or proceeding. No student shall knowingly give false information to a College official or show reckless disregard for truth.

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20. Public Laws

Any act by a student which constitutes a charge of a violation of a public law, occurring either on or off campus, may establish cause for legal and/or disciplinary action by the College.

21. Distribution or Sale of Literature or Goods

Distribution or sale of literature or goods on the campuses must be processed by the Director of Student Activities and are subject to College procedure 4160

22. Use of College Mail Services

Students must receive approval from the Student Activities Office in order to use College mail services. Use of department and/or area mail boxes must receive approval of the appropriate College official.

23. Obeying Reasonable Orders of College Officials

Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting in behalf of the College. This requirement includes reasonable requests for students to meet appointments in administrative offices and at disciplinary investigations and hearings.

24. Parking

Students are required to park in student-designated spaces only. Failure to do so may result in a citation from a civil authority as well as disciplinary action on the part of the College. (Parking fines are levied by the City of Miami Police or the Metropolitan Public Safety Department and, thus, are not part of the College's collection system.)

25. Breach of Peace

Conduct or expression on College-owned or controlled property which disrupts the orderly functioning of the College, or which is lewd, indecent or obscene, is prohibited.

26. Pets

Seeing-eye dogs are permitted on any of the campuses of Miami-Dade Community College, but, no other pets or animals of any kind are permitted on any of the campuses without specific approval from the appropriate College official.

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27. Violation of Probationary Status

A student who is alleged to have violated the Code of Conduct while being subject to Disciplinary or Final Disciplinary Probation may be charged with the separate offense of violating disciplinary probation.

28. Falsification of Records

Falsification of College records, including, but not limited to admission, registration, student disciplinary and health records, by forgery or other means of deception, is prohibited.

29. Search and Seizure

College officials reserve the right to search lockers or other College property when deemed necessary to uphold the basic responsibility of the College regarding discipline, safety, and the maintenance of an educational atmosphere. Contraband items will be confiscated and may be used as evidence in disciplinary cases. Briefcases, handbags, and other such containers may be searched in the library, in laboratories, in the bookstore, and at other places where materials or equipment are not secured.

30. Smoking

Smoking in classrooms, on elevators, and in other designated no smoking areas is prohibited.

31. Outside Speakers

Speakers may be invited to address a campus audience by Miami-Dade Community College students, recognized student organizations and the Student Government. These invitations must be approved by the Student Activities Department.

32. Recognition of Student Groups

In order to be classified as a student organization, established recognition procedures must be met and approved by the Student Activities Office.

33. Theft, Unauthorized Possession and/or Sale of Property

Students involved in theft, unauthorized possession, and/or sale of property not belonging to them are subject to College disciplinary action as well as to arrest and prosecution by legal authorities. Students are required to make full restitution.

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Students in possession of property owned or controlled by the College (i.e., the bookstore, library, audio-visual department, athletic department), or of another person, without authorization or payment for such property, will be subject to College disciplinary action.

34. Use of Vehicles

Riding of bicycles in hallways, in buildings, or on walkways is prohibited. Motorized vehicles are prohibited in areas other than designated roadways and parking lots. Mopeds are considered in the same category as bicycles.

35. Firearms, Weapons, Fireworks, Explosives

No students, except law enforcement officers, may have weapons in their possession at any time on College property. Weapons are defined as firearms, knives, explosives, inflammable materials, or any other items that may cause bodily injury or damage to property.

UNIVERSITY OF CALIF.
LOS ANGELES

AUG 25 1978

CLEARINGHOUSE FOR
JUNIOR COLLEGES

Robert Hardie	7/21/77	Peter Masiko Jr	7-22-77
EXECUTIVE VICE PRESIDENT	DATE	PRESIDENT	DATE